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the weekly Standard

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Accusing a Black Republican of Murder

Gary Franks, one of two black Republicans in the House of Representatives, will be leaving Congress soon; he was defeated a few weeks ago. And that defeat was celebrated in the ranks of the Congressional Black Caucus, the clique Franks joined upon entering the House and would not quit no matter what manner of ugliness he was subjected to.

And now, upon defeat, Franks finds himself subjected to the worst manner of ugliness imaginable: an open letter by a colleague that accuses him of murder.

William Clay, who represents a Democratic district in St. Louis, is the author of the open letter. It begins by labeling Franks "a Negro Dr. Kevorkian, a pariah, who gleefully assists in the suicidal conduct to destroy his own race."

Indeed, Franks may not even be truly "black," as "he had no discernible black personality." Clay dismisses Franks's Republican viewpoint as a "foot shuffling, head scratching 'Amos and Andy' brand of Uncle Tomism" that he and others have embraced not because they believe in it, but because they have been paid off by The Man. "Oysters Rockefeller or clams casino turns highly miseducated black men's brains into receptive sponges," Clay mused, "ready to soak up the latest anti-black invective." Thus, what Clay identifies as this group's long-term agenda hardly comes as a surprise: "The goal of this group of Negro wanderers is to maim and kill other blacks for the gratification and entertainment of . . . ultra-conservative white racists."

Clay's premise is a simple one: There is only one political agenda that will promote black America's uplift, and any black who dares to disagree is, according to Clay, infected with "slave-like rhetorical nonsense." Clay could teach even "ultra-conservative white racists" a thing or two about rhetorical nonsense.

Real Estate Salesman in Australia

Call the *Wall Street Journal* editorial page! Clinton admits all! While golfing in Australia with Greg Norman, the president came upon some reporters at the seventh tee. Norman shouted over toward the press: "He's beating me." Clinton smiled and then responded, "If you believe that, I've got some land I want to sell you." It's in Arkansas, by a river. Call Jim McDougal if you're interested.

The King Is Gone

An update on Richard Petty, the most successful driver in the history of NASCAR racing and GOP candidate for secretary of state in North Carolina this year: Basically, he got beat like the family mule. And his fans don't know what's worse—that he lost by 9 points or that he lost to a woman, Democrat Elaine Marshall. Though Marshall once posed in a campaign ad with a pig, she billed herself as "a serious candidate for a serious job"—a charge few would make of Petty's candidacy.

Various things did him in, but mostly himself. You got the sense that Petty's heart wasn't in the race, and not only because he played *Duel* with another driver on a Piedmont road. He once referred to his bid as "servin' my time" and said he looked forward to the election "like a hole in the head."

But politically, the King of NASCAR died with his Justin boots on, refusing to go out in a concessionary whimper. "I ain't staying up all night," he said, turning in before the final tally without conceding, even though Marshall had won. When asked what he would've done differently, Petty replied, "If I had known I was going to lose, I wouldn't have run."

Hey, Let's Party

The rowdy House Republican freshmen, most of whom survived the onslaught of the $35 million

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Scrapbook

labor-union campaign against them, are now regrouping with their second-term agenda. In hopes of promoting unity, 15 of the most conservative members in their ranks did something unheard of: They passed up some prime office space they won in the lottery conducted every two years for House incumbents seeking better digs. The 15 freshmen opted instead for less desirable, but contiguous, quarters. They will now occupy nearly every office on two hallways in the Cannon building. Sound intimidating? When Rep. Lloyd Doggett, a liberal Democrat from Texas, found himself smack in the middle of this group, he quickly moved elsewhere. Wouldn't want to be caught talking to these guys, we guess.

Pat's Handicap

Pat Schroeder, longtime congresswoman and scourge of the military, has retired and needs a little cushy, well-paying work. Seems she may go to the board of embattled Texaco. "I would be honored to serve," she said. "There are some similarities to some of the problems in the Army, so I look on this as a little culture-cracking. I understand personnel law, but, traditionally, American boards have looked for people who play golf."

Mrs. Schroeder, you're busted. We have seen you at a golf range here in Washington, practicing the sport that has kept this country in patriarchal chains for decades. Maybe Pat was merely doing a bit of research for her "culture-cracking," or maybe she has an honest, apolitical enjoyment of the game. Texaco would probably survive its association with Pat Schroeder. The question is: Can golf?

Oops Times Two

Our contributing editor, Joseph Epstein, writes: "I should like to apologize for an error in simple arithmetic in my Casual, 'The Running of the Bulls,' in last week's issue. I mentioned four season tickets to the Chicago Bulls costing $325 each per game, and went on to write that the expense of this was '$1,000 a game, and since the team plays forty-odd games at home . . . well, you do the math.' I hope you didn't actually do the math, but I am confident you would have done it better than I did. Four times $325 equals not $1,000, but $1,300. We have all heard of the two cultures—scientific and literary, with each supposed to be ignorant of the other—but making this mistake is ridiculous, and very embarrassing."

For good measure, John Podhoretz made a stupid literary mistake in his piece on Shakespeare and film two weeks ago (as he realized to his chagrin driving home after the issue had been sent to the printer). He claimed that the scene in *Macbeth* in which Birnam Wood moves by itself to Dunsinane was a supernatural occurrence when, in fact, it was only an advancing army hiding behind the boughs of trees in the forest. Podhoretz wishes he could claim it was only a math error, like Epstein's, but no such luck.

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Casual

A Pack of Memories

I quit smoking almost exactly ten years ago, and let me tell you, I don't recommend it. Quitting, I mean. Smoking I do recommend, for reasons that have nothing to do with wanting to (a) look cool, (b) kill myself slowly, or (c) cause others around me to contract lung cancer secondhand. These are the only reasons the American Cancer Society can find to explain why anybody in his right mind would take up the habit.

But somewhere deep inside the secret archives of American medicine and science, there is—there must be—a thick report stamped with the words "TOP SECRET. EYES ONLY. DO NOT DISTRIBUTE." If you touch the report, you get a shock, and a dental assistant wearing foul-tasting rubber gloves will strap you in a chair and give you a serious periodontal examination as punishment. And in that report you can find the true, honest, actual cause of widespread smoking, which is this: *Smoking makes you smarter.*

I know this because I have gotten significantly dumber since the fabled day—November 11, 1986—I threw a pack of Marlboros out of the window of my Ford Escort driving down a dark street in Rosslyn, Va. I had a phenomenal memory then. I could recite whole passages out of the books I loved word for word, and if I couldn't get a passage quite right, I could remember that it was on a lefthand page about two-thirds of the way down somewhere near the end of the book's first half. I made my living in part writing about movies, and I never took a note—I had total dialogue recall. There is not a popular number in the American songbook whose lyrics I did not know, and from only one or two listens.

I never kept an appointment book, or a Rolodex—a phone number, once dialed, was embedded forever in my brain. I was the managing editor of a weekly magazine that ran 25 articles a week and could remember the date, title, and author of every single piece we had ever published.

Now we flash forward to November 11, 1996. A colleague sticks his head in my office to ask me whether we have run an article on Topic X. It sounds vaguely familiar, but only vaguely. I try to summon up something—a title, an author—and what comes back is the mental version of white noise. A few minutes later, a phone call comes from the front desk. Writer Y is here for lunch. There is no notation of this appointment anywhere; I made the date and promptly forgot all about it . . . five days ago. And so it goes.

This is all normal, of course; I'm in my thirties now, and I have a lot on my mind. But how do I know that cigarettes boosted my memory and that quitting has punctured it? Because I could feel it happening just two or three months after my last Marlboro. Things just started slipping here and there: a message I forgot to deliver, a title I couldn't quite recall. I'd begin to dial a phone number that had just been given to me and I would stop after five digits, completely stumped. From having a phenomenal memory, I slowly declined into a remarkable one, then to an excellent one, and finally to my present pretty good one.

But there's a deeper problem. I did have the old phenomenal memory before I began smoking my first week in college, and I am convinced that smoking accelerated it. And all that memory remains: unbelievably arcane trivia about television, for example, like the fact that if a sitcom plot called for a gorilla in the '60s and '70s, a man named Janos Prohaska was invariably inside the gorilla suit. But everything after November 1986 is organized as things ought to be: I remember important things and forget trivial things.

And then there is my colleague Christopher Caldwell. He is a year younger than I, and had we met in college, we would have faced each other down in contests of useless knowledge that would have had us both lynched by others around us. Now he has me beat hands down; the other week I merely mentioned the title of a relatively minor T. S. Eliot poem and he declaimed the entire opening stanza without missing a beat. All I could summon up were the first two words—"Apeneck Sweeney"—and the last four—"Swells to maculate giraffe." (I have no idea what Eliot is talking about either.)

Chris still smokes. Happily, contentedly. He is among the most productive writers in America, and on a dizzying array of topics. And every day, you can find him outside our office building with four of our colleagues, all sharing a smoke, all of them possessing a remarkable grasp of fact and detail. Sometimes I stand there too and marvel at the factoids that whip back and forth like tennis balls between Sampras and Agassi. I know it would only take one little puff, one inhale, to bring me back into the fold.

But then I would remember all the reasons I quit in the first place—all those reasons I have since forgotten—and I'd just have to start all over again.

John Podhoretz

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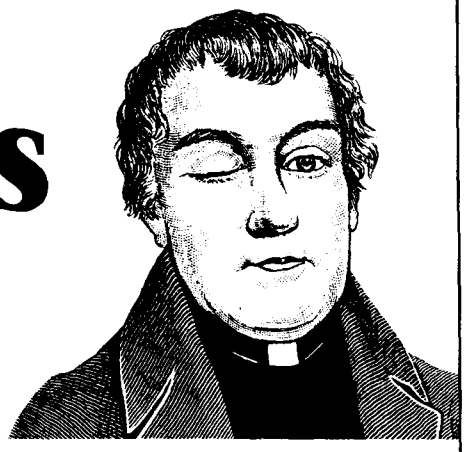
Treacherous Catholics?



The Vatican thunders against abortion, illicit sex, assisted suicide, dissenting theologians, and more. But in all too many parishes we don't hear much, if anything, about the ongoing slaughter of preborn babies, or the Church's teachings on homosexuality, pre-marital sex, pornography, etc. Papal authority and Hell are taboo subjects. Where's the beef? We just get marshmallows — and platitudes and pop psychology.

Even if these parishes and their priests look Catholic, we may wonder if they're just pretending to be Catholic. Some clerics, we now know, have been pretending to be celibate. Broken vows. Violated trust. Abuse of position. Flagrant sin. A field day for those, especially in the media, who hate the Church. Suspicion cast upon our good, hard-working priests. It's all so *very sad*.

Nobody's perfect. But we expect more of priests than we do of others. The priesthood isn't just another occupation; it's a sacred calling. Priests are charged with the cure, not the ruin, of souls.

Those who make excuses for wayward priests, bishops, and Religious are logically required to excuse all the Jim Bakkers and Jimmy Swaggarts too. This would be to make a farce of Christianity.

Sex scandals in the Catholic Church were few and far between before the sex revolution of the 60s and before Vatican II got misinterpreted to mean "anything goes." So a married priesthood is no cure-all. Indeed, many of the recent offenders aren't attracted to the opposite sex, and remember that Bakker and Swaggart were married men when they fell. Mandatory celibacy isn't the problem.

But we *have* a problem, and it's profound. Broadly speaking, the real problem is that in certain sectors of Catholicism there's been a failure of faith in the teaching authority Christ conferred upon His Church, and consequently a tragic capitulation to a decadent culture. If the full Catholic Faith isn't being preached from the pulpit, we shouldn't be too shocked if it isn't being observed in the rectory either.

We at the NEW OXFORD REVIEW, a Catholic monthly magazine, stand with Rome in its efforts to reinvigorate the Faith and restore discipline. We cover the full range of issues of concern to Catholics who are trying, often against considerable odds, to uphold the Faith. According to *The Catholic Answer*, we're having "a notable impact" for the good on our troubled Church.

If, like Chesterton, you want the Church to *move* the world rather than move *with* the world — or if you're just curious — subscribe today!

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PULLING A CLINTON

Christopher Caldwell makes an important point in the ongoing scandal-laden Clinton/DNC fund-raising story ("A Democratic Scandal," Nov. 18). Again, we see Bill Clinton doing what he does best: "pulling a Clinton." By bringing up the issue of a bipartisan commission on campaign-finance reform, he seeks to obfuscate the real issues at the heart of this scandal.

Caldwell points out, rightly, the difference between the "procedural issue" of campaign-finance reform and allegations of corruption, bribery, money laundering, and the shaping of foreign policy based on campaign contributions. Clinton and the Democrats know this but are trying to "universalize" this into a bipartisan "good government" issue. Unfortunate too is the liberal media's complicity in this shameless act of mendacity.

I agree we need to reform our campaign-finance laws, but let's first appoint an outside counsel to investigate these allegations.

DOMINIC C. BELLONE
ALEXANDRIA, VA

WE WANT VALUE ADDED

John Podhoretz, in "The Value-Free GOP" (Nov. 18), lays out the path for future success for the Republican party.

In my opinion, there is no reason to fear running on social and economic issues because these are time-honored values that the citizens in this country cherish. We as Republicans should be proud of our positions and ideas, and we should be willing to seek to advance them at every opportunity. We cannot and we must not let the Democratic party attempt to define who we are or falsely label what we stand for. Nor can we allow ourselves to be intimidated into hiding our true beliefs.

The Republican party needs to be more than just the party of "the wallet." It must also be the party of the soul.

GARY M. POLLAND
HOUSTON, TX

John Podhoretz has it exactly right. After 25 years as a registered Democrat, I finally abandoned the Democrats principally because of values issues. What do I find with the Republicans? The value-free GOP! When it came to what I think is the most significant moral decision this country has made in recent years, President Clinton's veto of the partial-birth-abortion ban, our fearless candidate, Bob Dole, said virtually nothing but a throwaway line.

As a newly minted Republican, I voted for Dole in this presidential election. Four years from now, I'll be voting for either a third-party candidate or "none of the above."

WILLIAM C. WALDEN
SOUTHAMPTON, MA

LEFTY BOOKSTORES

Ari Redbord's report on bookstore censorship needs an historical perspective ("Liberal Bookstores, Conservative Books," Nov. 11). Bookstore censorship didn't begin this week; it was a staple during the high period of Stalinism.

Jan Valtin wrote one of the early exposés of Stalinism, *Out of the Night*. The Communist party did everything it could to destroy the book's publication in 1941. It ordered its satellite, the United Office and Professional Workers, a CIO affiliate, to sabotage the book in every way possible. UOPW members were bookstore employees. Not all were Communist, but usually one of the employees was. It doesn't take very many people in a bookstore to make a book disappear.

The same kind of censorship happened to me in the '70s when I published *Nine Lies About America*. On the very day it was reviewed (rather nastily) in the *New York Times*, I stopped in at the big bookstore on Third Avenue operated at the time by Harcourt Brace. Normally, a book reviewed in the *Times* would have been in the sidewalk showcase window; it wasn't. I looked around for the book on the shelves. Not there. I showed the *Times* review to a salesperson and asked to see the book. "We don't seem to have it," he said. He then walked over to the cashier, showed her the review, and asked if she knew where the book was. She leaned down to a carton near the cash register and took out a copy of my book.

When the book came out in paper, I dropped by the Harvard Co-op Bookstore and looked around for a copy. Not one. I asked the manager, whom I knew, whether he had received the book. "Of course, we put it out several days ago." He went looking for it. He went to a shelf, lifted a book off a pile, and lo! There was *Nine Lies About America*. It had been covered over "accidentally," said the manager. I did a little shopping in another part of the store and before departing I stopped at the bookshelf where my book had been on display twenty minutes before. The book was covered by another paperback.

When in Los Angeles, I checked the big bookstores: no *Nine Lies* to be found. I called the publisher to complain. He said they had sent out books a week or so before but somehow the book cartons were not unpacked.

After an appearance on a morning television show, I stopped by the New York Doubleday bookstore on Fifth Avenue to look for a copy of the book. Not to be found. I asked the manager. He couldn't believe it wasn't on the shelves. He went down to a lower floor and found boxes of my book labeled but not yet opened. "They had been there for ten days," he said, looking puzzled.

ARNOLD BEICHMAN
STANFORD, CA

Ari Redbord concentrates on a tiny fraction of conservative books in a tiny fraction of bookstores. If he is interested in the fate of most conservative books, he should talk to authors and publishers about the triage-like decisions publishers make to deter-

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mine how much they will "push" a given book. This pigeonholing often seals a book's fate long before it can get into bookstores. Talk to publishers and the big chains about the deals they make for advertising, shelf space, display space, and book-tour time. Talk to the big wholesalers about which books they will warehouse for quick delivery and which will have to be long-wait "special orders." Talk to magazine editors about how they choose which books to review. Talk to public and university libraries about their purchases.

In a diverse, commercial, and essentially democratic publishing industry, all the above decisions have to be made, often at the expense of good books. In view of the real reasons why books get to be where they are, it is ludicrous to lament the fact that already bestselling conservative authors cannot get their books displayed prominently in every store in the land. Independent book retailers are, thank goodness, just that. It is not diversity to have all bookstores stock the same titles. Are conservatives too proud to open bookstores?

CHARLES T. RUBIN
FOREST HILLS, PA

PROPERTY OF PANAMA

It was with great frustration and concern that I read Thomas M. DeFrank's recent piece about the imminent turnover of the Panama Canal, "Ronald Reagan Was Right" (Nov. 11).

DeFrank recalls a "golden era" of the Canal Zone that has supposedly ended. Only the words of Gen. Barry McCaffrey, buried deep in the article, indicate that there may be something disturbing and indeed wrong about supporting and perpetuating it: "It was always clear to most of us that you couldn't continue to have a colonial status in Panama."

President Ernesto Perez Balladares enacted constitutional reforms that deal exclusively with canal matters. Among their most important provisions:

They establish the canal as the inalienable property of Panama and state that the canal will always remain open to the peaceful transit of ships from every country around the world.

They create the Panama Canal Authority, whose budget will be independent of the national budget.

Understanding the critical role the canal plays for countries around the world, the reforms stipulate that canal operations cannot be interrupted for any reason.

We know—as do many of the U.S. nationals who have worked and/or are currently working closely with us in this process—that not only does Panama have the natural and legal right to sovereignty and management of the canal, it also has earned the trust of the international community.

Skepticism about the future of the canal indicates to us that there are those who still wish to perpetuate outdated paternalistic relationships between countries; there are those who still doubt that each nation has the right and the capacity to handle its own matters and destiny successfully. We strongly disagree, as do most Americans.

EDUARDO MORGAN
AMBASSADOR OF PANAMA
WASHINGTON D.C.

AMERICAN DESPOTISM II

David Brooks trivializes the questions posed by the *First Things* symposium ("The Right's Anti-American Temptation," Nov. 11). Worse yet is his choice of title. Surely, a public discussion of judicial usurpation is profoundly American, important, and long overdue.

I hope THE WEEKLY STANDARD will contribute to the subject with a series of articles and/or responses by thinkers equal in stature to those in the symposium, rather than simply quote shrill voices that say this subject is not fit for public discussion.

JOSEPH J. DARCY
BRIGHTWATERS, NY

One can certainly take issue with the views expressed in the *First Things* symposium and even the decision by the magazine to publish it, but why talk of anti-Americanism? The point of the symposium was that the courts are threatening the most American of all principles, consent of the governed. The symposium was defending, not attacking, American principles. Brooks's article does not contribute to a serious discussion of the issues raised by the symposium.

DAVID M. PRENTISS
MARION, MA

I was pleased to read David Brooks's article because I believe in the absolute truth of the message of the symposium: "The End of Democracy: The Judicial Usurpation of Politics." I believe, however, that we are able to regain our freedom. The simple solution: The Constitution should be amended to limit the term of justices to six years, subject to reappointment and reconfirmation by the Senate.

We do not need to amend the Constitution to ban flag burning, abortion, or child pornography. We do not need to amend the Constitution to establish school prayer, Christmas manger scenes, term limits, or the English language. We need only limit the terms and thereby the powers of the court.

PAUL GEARY
PACIFICA, CA

David Brooks was way off in his article concerning the *First Things* symposium. How ironic that after lambasting *First Things* and calling their legitimate concerns "anti-American," you ran in this week's issue an article about the citizens of Arizona who fight judicial arrogance. In "Voters v. Judges" (Nov. 25), Andrew Peyton Thomas writes, "When unelected judges wield their great and solemn powers irresponsibly, the public is liable to rise up and assert its legitimate concern." Exactly!

MIKE MATYA
BELLEVUE, NE

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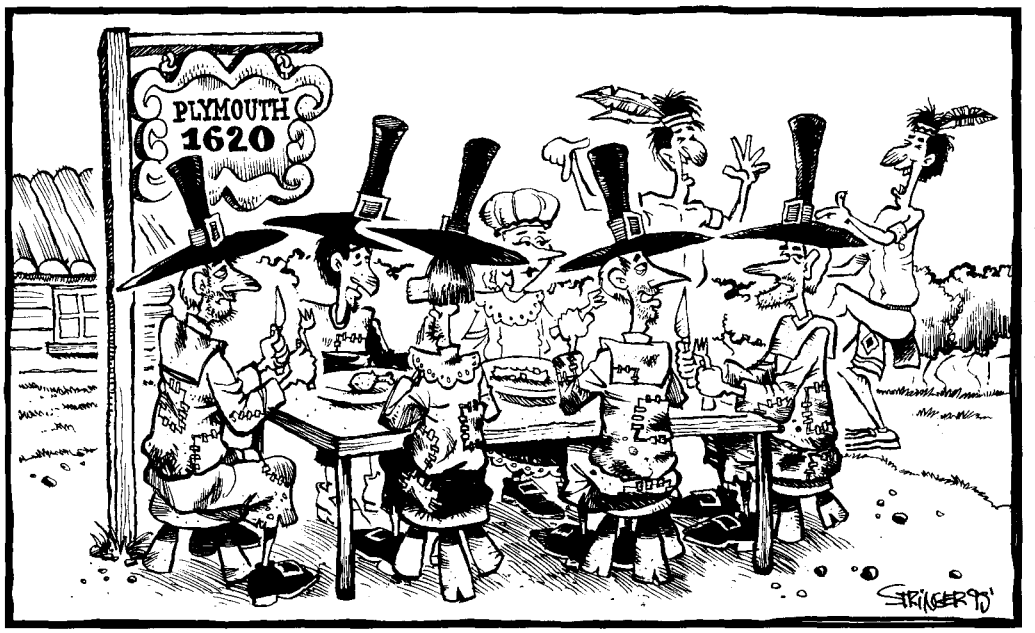

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The Plymouth Colony's plan was communal living. Hunger ended that. Now direct, income taxes bring us full circle.

When the Pilgrims landed in 1620, a communal society was mandated by the terms of their contract with London Adventurers. After starving for three years, the Pilgrims abandoned communism, legalizing private property and personal economic freedom. The first real Thanksgiving followed.

Since the birth of the U.S., the government has pursued its slow and silent encroachment upon these personal freedoms. The rising frustration among our citizens is directly linked to the rise in tax burden and the decline in our standard of living because government itself represents nearly 25 percent of our economy.

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At best, the Pilgrims' communal failure intended *equal* distribution of wealth. But the 16th Amendment, not merely reversed the Constitution's safeguards against government's natural desire to grab greater levels of revenue, it also opened the door to the redistribution of wealth philosophies made popular by Karl Marx.

When you sit down this Thanksgiving Day, reflect upon how far we have transgressed from the original design of the Constitution. Think about all the red tape, the deficit, the huge national debt, and the social decay. Ask yourself, "Have we honestly improved upon the dreams that brought so many to this land in search of personal freedom?"

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the weekly Standard

Doing the Job in Bosnia

In December 1995, over the knee-jerk objections of many Republicans—"exit strategy," "sitting ducks," "body bags"—President Clinton began deploying nearly 20,000 American ground troops to Bosnia. If he hadn't, a fragile cease-fire would have broken, ethnic carnage in Bosnia would have resumed, and U.S. leadership of an effective European alliance would have shattered. And in December 1996, as his self-imposed one-year deadline for withdrawal approaches, what if the president were to order our soldiers home as he once promised—what then? A fragile cease-fire would likely collapse, ethnic carnage in Bosnia would likely resume, and U.S. leadership of an effective European alliance would likely shatter. An unthinkable result, now as before. So instead we will stay, the president reports, until June 1998.

Fine. Today, the initial White House decision to enter Bosnia looks wiser than ever—and yet there is fresh reason to be alarmed about the health of the mission, despite its obvious past benefits.

THE DECISION TO ENTER BOSNIA LAST YEAR LOOKS WISER THAN EVER—YET THERE IS REASON TO BE ALARMED ABOUT THE HEALTH OF THE MISSION.

Things have gone well so far. One and only one G.I. has lost his life on duty—a sergeant killed by a landmine he was attempting, without authorization, to defuse. His sacrifice and a relatively modest investment of American treasure have purchased the prevention of further slaughter and the preservation of NATO. The mission has been "worth it." And the president's new decision to extend our presence there isn't really a decision at all. Insofar as we have ever had a well-wrought plan for Bosnia, maintaining our troop commitment beyond next month was almost certainly always part of it.

The NATO force known as IFOR was sent to Bosnia to do several things. It was sent there to separate warring Bosnian factions and quarantine their heavy weapons. It was sent there to maintain a peace sufficient to permit the resettlement of 2 million refugees and the election of municipal and national governments. It was sent there to buy Bosnia time while its army was strengthened against future Serbian aggression and its police force trained for a post-NATO future. And the force was given a mandate to arrest Balkan war criminals for prosecution by an international tribunal.

Today, the quarantining of heavy weaponry is still in progress. Most of the refugees have not been resettled. Municipal elections have been postponed twice. Offices of the national government, President Clinton has himself acknowledged, "are still in their infancy." And the NATO force has ignored—indeed, avoided—the well-known war criminals in its midst, for fear of sparking reactive partisan uprisings. In short, much of NATO's necessary work is incomplete. To put it charitably.

Early on, Bosnia "hawks" worried that the stated goals of the peace accord worked out in Dayton last year were too relaxed—and that, when it came to implementing them, a timid Clinton administration would aim merely for the loopholes, not for true success. The fact that the Balkan strategic situation has changed so little tends to confirm that suspicion. And what the president said on November 15 when he announced the extension of the mission tends to confirm that suspicion all the more.

"IFOR has succeeded beyond our expectations," the president proclaimed on November 15. "As a result, the mission will end as planned on December 20, and every single item on IFOR's military checklist has been accomplished." This is fiction for the most part. As a practical matter, the NATO force's military and non-military responsibilities are inseparable. But even its narrowest "military job" remains unfinished. At a press briefing on the same day the president spoke, defense secretary William Perry was asked whether there were a danger that general war would again break out in Bosnia in the absence of a U.S.

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force. "No, I do not believe that," Perry said—but in the next he breath admitted "there would be hot spots all over Bosnia, any one of which could spin out of control and escalate to a general war." Put another way, he said without evident irony, "The operation was a success, but the patient is still in danger of dying."

The trouble here isn't that Bosnia doesn't yet look like Belgium, barely a year after the end of a conflagration that consumed 250,000 lives. The trouble is the Clinton administration's dishonest insistence that it ever believed such a timetable might be possible. "Quite frankly," the president pretended, "rebuilding the fabric of Bosnia's economic and political life is taking longer than anticipated." And that entirely civilian project requires a brand new mission, he pretended some more, with a brand new "Stabilization Force" (called SFOR) to replace the old troops.

But the new force's primary mission, Secretary Perry then let slip, "is to prevent a resumption of the war. It's a deterrence mission." It is the same overarching mission as before, in other words, only *less* ambitious in its particulars. This time, the president's men say right up front, there will be no security guarantee for refugee resettlement, and there will be no manhunt for war criminals. NATO troop levels will be cut by nearly 50 percent. The American contingent will be reduced to 8,500—reviewed every six months for possible further reductions, and limited to 4,000 by the end of 1997, no matter what. And yet somehow, we're supposed to believe, this new force will neatly keep the peace *and* accomplish the nation-building that has eluded its much larger predecessor. All at once.

This is no way to conduct a foreign policy operation, especially not a fundamentally sound one. Bill Clinton has rightly made Bosnia an American responsibility. It is unfulfilled. So that country now deserves a better effort from us, not a diminished one.

The president owes *himself* a more aggressive mid-course correction than the one he's just unveiled, for that matter. A year and a half from now at the latest, when our Bosnia mission's next "final" report card comes unavoidably due, will American opinion again be satisfied with any grade short of success? Or will another well-meaning "incomplete" at last seem indistinguishable from failure—precisely the sort of never-ending "quagmire" Clinton's most vocal Republican critics warned about to begin with?

And what would happen if in the meantime, God forbid, some significant number of U.S. troops should suddenly die in a Bosnian firefight? Could our Balkan initiative survive? It ought to, but no one can say for sure that it would. The president has done far too little to prepare the public for such an awful possibility—because he has done practically nothing to impress the public with Bosnia's symbolic and practical importance in an American-dominated international order. Clinton has done *worse* than nothing in this last respect. He has hidden Bosnia from view as best he could for most of a year. He has cloaked his major Bosnia moves in Whitewater-level evasion. (It was "clear" to most Americans "before the election," the president now claims, that an extended deployment was in the cards.) And he has enlisted his cabinet in the deception. Thus does Clintonian spin-baloney begin to infect a central international-security question.

Bosnia is not Whitewater. It is an application—in the national interest, and for international humanitarian purpose—of American power. It is serious. It is right. And sadly, at the moment, Bill Clinton is doing the right thing . . . badly.

—David Tell, for the Editors

The Barbour of the Hill

by David Grann

Sometimes, late at night, when Bob Dole was plunging off podiums, labor was blacklisting Republican candidates, and his onetime loyal allies were talking about impaling him, Haley Barbour reached into the bottom of his office closet and pulled out a bottle of Maker's Mark whiskey. There, surrounded by the spoils of his 1994 triumph—framed newspaper clippings and a congratulatory note from Ronald Reagan—the Republican party's national chairman would tilt his head back, take a liberal swig, and tune out the unceasing criticism that he had held his ace too long.

The Mississippian with the musical accent and oversized hat of hair survived perhaps the biggest strategic gamble of the season. In the age of rapid-response politics, he lay low, keeping a perfect poker face while conserving the bulk of his money until the final weeks of the campaign. In the process, he risked not just the GOP Congress and presidential candidate, but his reputation as one of the most successful party chairmen ever. Now, with the election finally over and Republicans safely ensconced on the Hill, a relieved Barbour smiles and guzzles a lite beer.

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"We were sitting over here behind our rampart," he says, gesturing toward his desk for emphasis and launching into an enthusiastic mixed metaphor. "We knew we only had about two volleys. . . . If they'd just a little more time to get over that fence, we'd had to fight 'em off with baseball bats."

He pauses, as if contemplating what might have happened then.

What did happen, unfortunately, was not exactly a triumph. After all, only 12 months earlier, 1996 still looked like the year of the Republican royal flush, the year the party would win both the executive and legislative branches and Barbour would be anointed the best bluffer inside the Beltway. Instead, the portly chairman got a slimmer congressional majority and a leaner, meaner Bill Clinton—which, in poker terms, more closely resembles a draw. "It wasn't exactly what we wanted," he says. "We were hoping for the trifecta."

But though Barbour's trump card wasn't enough to save Dole, it preserved a GOP Congress for the first time in 68 years. Indeed, for Barbour, the outcome on November 5 was more than vindication; it was salvation. Lionized after the 1994 election, Barbour was on the verge of being excommunicated by his own flock. "What should happen if he loses Congress and the White House?" said one GOP operative in early October, when polls showed Republicans forfeiting the House after months of unanswered Democratic attacks. "He should be carried down Pennsylvania Avenue and crucified."

Michael Ramirez

Haley Barbour

Nearly everyone now agrees Barbour deserves more than his life; the party not only held the House, but picked up two seats in the Senate. Rep. Bill Paxon, head of the National Republican Congressional Committee, calls Barbour godlike, while the political prognosticator Charles Cook extols his "gutsy," "optimal impact" strategy. Even some of Barbour's sharpest critics are mollified, if not muted. "In the long run, Haley's wait-till-you-see-the-whites-of-their-eyes strategy paid off," says Ohio freshman Bob Ney, who just months earlier had grumbled to reporters, "Where's the RNC cavalry?"

But unlike after the last election, Republicans are limping back to Capitol Hill, their agenda co-opted by a politically hermaphroditic president and sullied by a briefly revived labor movement. Holding your money until the end "is an inherently defensive political strategy," complains Rep. David McIntosh, an Indiana Republican freshman who served in the Reagan and Bush administrations. "We got lucky that it worked out this time. You can't endorse a strategy that has you consistently losing ground. It'd be nuts if that strategy became the party line. If that's the case, then the Republicans can forget about being a majority party."

Barbour shrugs at such carping. "They can pee all over me," he says, "and it doesn't hurt anythin'."

In fact, most of the House Republicans who crumpled under labor's assault, like Michael Flanagan of Chicago, are in largely Democratic districts and would have lost under any circumstances. And, at least in 1996, the rationale behind Barbour's gamble was correct: While many voters settled on their presidential candidate early, a critical portion of the public chose their congressional candidates in the final days. Among those voters, exit polls show that 53 percent favored Republicans, while only 43 percent turned to Democrats. "Had we not been dominant in the last week or two," says GOP pollster David Hill, "we'd probably have lost."

Like any good poker player, Barbour played the hand he was dealt. Unfortunately, one of those cards was a deuce—Bob Dole—and another a wild card—Newt Gingrich. "It's not exactly what you want to bet the house on," says one Dole strategist.

While Gingrich's toxic image polluted Republican campaigns from Connecticut to California, Dole's invisible candidacy remained a larger problem. Rela-

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tions between the avuncular Mississippian and the stoic Kansan had steadily improved since Dole booted Barbour from legislative strategy sessions on the Hill in October 1995; Dole even confided in Barbour that he planned to resign from the Senate. Yet they remained from the outset wary allies, linked by fortuity rather than fortune.

In the past, the GOP president had always handpicked his RNC chairman. But when some Dole-ites wanted to dump Barbour for one of their own, Barbour made it clear he wasn't budging until the new year. The announcement preempted any insurgence, and ensured the RNC's financial independence in the final weeks of the election.

Nevertheless, Barbour feared losing control of the entire Republican campaign, from the governorships to the Congress, if Dole didn't reemerge as a viable candidate. After Scott Reed, manager of the Dole campaign, canceled weekly meetings with Barbour, Newt Gingrich, and other top advisers in June, Barbour quietly prepared for a Dole debacle. When the GOP convention failed to push the GOP nominee's polls above 40 percent, Barbour and his team plotted ads and state-party expenditures that would protect congressional Republicans in the face of a presidential blowout. Finally, after a desperate Reed begged Ross Perot to drop out of the race, the RNC launched a massive advertising attack warning voters not to give Bill Clinton unbridled power—tacitly conceding Dole's impending defeat. "The untold secret of the campaign was how Barbour distanced himself from Dole, without making it explicit," says Robert Shrum, a Democratic consultant.

Just as pivotal, the normally parsimonious Barbour went on a last-minute borrowing binge, going $10 million into debt in order to reelect Republican incumbents. At the time, Barbour drawled he'd rather be $10 million in debt with a GOP Congress than $10 million in the black with a Democratic Congress. The late infusion raised the ante in the most expensive campaign in history and assured that Barbour did what he had always planned: show his ace in the final moments of the game.

THE NORMALLY PARSIMONIOUS BARBOUR WENT ON A LAST-MINUTE BORROWING BINGE, GOING $10 MILLION INTO DEBT IN ORDER TO REELECT REPUBLICAN INCUMBENTS.

As the balloons hung from the rafters at the Renaissance Hotel in Washington, Republicans were not in the mood for a coronation. Dole was losing nearly as badly as George Bush, while congressional Republicans were being routed in the Northeast. On the 14th floor, in a smoke-filled suite, Barbour watched the returns grimly with his team. At 10:30, it was still unclear whether Republicans had even held the House. "If I had to do it all over again," Barbour insisted, "I'd do it the same way."

By 1:30 a.m., the electoral landscape had improved. Republicans had retained the House and gained in the Senate. Yet the room by then was oddly quiet; embers still smoldered in ashtrays, beer bottles crowded table tops. Only Barbour and his onetime top aide, Don Fierce, remained.

"You did great," Fierce said.

"We couldn't have done any better," Barbour replied.

But unlike 1994, there would be no note from Ronald Reagan, no ritual call from Gerald Ford. Republicans—Barbour deifiers and dissenters alike—had learned an essentially conservative lesson: In politics, there are no saints or demons, only humans. "My place in history is the latest Republican chairman," Barbour says with a smile, "the fat guy with the funny accent."

David Grann is executive editor of **The Hill.**

Dean Acheson's Alger Hiss

by Robert L. Beisner

Many mysteries remain in the wake of the life and death of Alger Hiss. One is his relationship to Dean Acheson. On January 25, 1950, the day Hiss was sentenced to prison for lying about passing secrets to the Soviet Union, Harry Truman's secretary of state declared during a press conference: "I do not intend to turn my back on Alger Hiss." Acheson's apparently quixotic loyalty to the former State Department official provoked vociferous denunciation: Republican Senator William E. Jenner of Indiana

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attacked the Truman administration as a "military dictatorship, run by [that] Communist-appeasing, Communist-protecting betrayer of America, Secretary of State Dean Acheson." Such assaults greatly reduced Acheson's ability to conduct foreign policy in his remaining years in office.

Most historians today probably accept Hiss's guilt. What did Acheson think? When the case broke in 1948, Acheson had known Alger Hiss and his brother Donald (a partner at Washington's prestigious Covington & Burling law firm) for many years. "Donnie" was a good friend, but Acheson was not close to Alger either professionally or personally, considering him "stuffy and rigid," as George Ball remembered, and guilty of "lacking a sense of humor." From the fall of 1945 onward, Acheson was privy to mounting evidence that Hiss was a spy, information he may have discounted, aware as he was that J. Edgar Hoover was making bizarre charges that he too (and John J. McCloy, Henry Wallace, and other estimables) were part of "an enormous Soviet espionage ring in Washington." Yet Acheson must have suspected that charges against Hiss would stick, for as undersecretary of state in 1945 and 1946 he helped insulate Hiss from sensitive discussions in the department. When an outraged Joseph Alsop blustered about writing a column attacking Whittaker Chambers for his accusations against Hiss in 1948, Acheson told him to cool it: "It's always a mistake to write about anything that is *sub judice*." "It was perfectly obvious," Alsop recalled, "that Dean thought that Hiss was guilty, or had been guilty."

Alger Hiss

Kent Lemon

During Hiss's August 1948 travail before the House Committee on Un-American Activities, Acheson maintained a careful balance, both assisting Hiss and distancing himself from him. The accused received unpaid help from Covington & Burling on his testimony and perhaps advice from Acheson himself on selecting an attorney, but Acheson, by then a private citizen, refused to appear with Hiss before the committee, though he had conspicuously represented another accused spy, Lauchlin Currie. At his confirmation hearings as secretary of state in January 1949, Acheson stated that everything he knew about Hiss had caused him to discount earlier accusations but—Hiss was then under indictment—he now expressed perplexity. Evidence seemed to be accumulating against him. It made no sense that Hiss would engage in such "insane" behavior; yet the evidence made no sense unless he had. Confirming that he and Hiss had become "friends," he added that his friendship was not easily gained or withdrawn.

Almost exactly a year later, Hiss was convicted in his second trial (the first ended in a hung jury). Acheson was scheduled to hold a regular press conference on January 25. Against the wishes of all his advisers, he privately determined to speak out in defense of Hiss, who was sentenced that day to five years in federal prison. He refused to discuss the matter with his personal assistant, Lucius Battle, or with Paul Nitze or Charles Bohlen. Nitze recalled, "I went in to see Acheson, but he asked me to leave. I called Chip Bohlen . . . but Acheson refused to see him as well." At breakfast, Acheson told his wife Alice that he knew he would be asked about Hiss at the press conference. "I'm going to reply that I will not forsake him." Alice responded: "What else could you say?" "Don't think this is a light matter," Acheson went on. "This could be quite a storm and it could get me in trouble." When his wife asked whether he was

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sure he was right, Acheson replied: "It is what I have to do."

The question came quickly. Besides proclaiming that he would not turn his back on Hiss, Acheson responded: "I think every person who has known Alger Hiss or has served with him at any time has upon his conscience the very serious task of deciding what his attitude is and what his conduct should be. That must be done by each person in the light of his own standards and his own principles. For me, there is very little doubt about those standards or those principles. I think they were stated for us a very long time ago. They were stated," continued this Episcopal bishop's son (a religious skeptic himself), "on the Mount of Olives, and if you are interested in seeing them you will find them in the 25th chapter of the Gospel according to St. Matthew, beginning with verse 34. Have you any other questions?" An aide stood by with a Bible should anyone want to check the reference:

> Then shall the king say unto them on his right hand, some, ye blessed of my father, inherit the kingdom prepared for you from the foundation of the world; For I was an hungered and ye gave me meat; I was thirsty, and ye gave me drink; I was a stranger, and ye took me in; naked, and ye clothed me; I was sick, and ye visited me; I was in prison, and ye came unto me.

ACHESON APOLOGIZED TO HIS STATE DEPARTMENT COLLEAGUES FOR A SELF-INDULGENCE THAT CAUSED GRIEF TO ALL OF THEM. HE SHOULD HAVE USED DULLER LANGUAGE.

Though no one ever again asked him about Hiss in a press conference, powerful attacks came immediately. A few newspapers praised his charity, but the *New York Times*'s James Reston wrote that Acheson seemed "to lack the gift absolutely essential in a Secretary of State, of foreseeing how his remarks will look in tomorrow morning's newspapers." Acheson promptly offered his resignation to Truman, who laughed it off. Alluding to his own presence at the funeral of Kansas City boss James Pendergast, the president replied: "If you think that a person who walked behind the casket of an old friend who was a convicted criminal would have had you do anything else, you're mistaken in me. Go on back and get to work." In the face of unremitting criticism, however, a month later Acheson read a prepared statement before a Senate committee: "I will accept the humiliation of stating what should be obvious, that I did not and do not condone in any way the offenses charged [against Hiss], whether committed by a friend or by a total stranger, and that I would never knowingly tolerate any disloyal person in the Department of State."

Subsequently, Acheson apologized to State Department colleagues for a self-indulgence that caused grief to all of them. He should have used duller language. He had been "a little grandiloquent," he told CBS broadcaster Eric Sevareid many years later. "Perhaps it would have been better if I had said, 'I haven't anything to say about it.' I suppose in a way an element of pride entered into this. I knew the question was going to be asked. And I knew the press was going to believe I'd run. I just said, I'm not going to run. I'm going to let you have it right on the jaw. Perhaps I knocked myself out."

He was already trimming his sails at the time the Supreme Court turned down Hiss's appeal in March 1951. Acheson's undersecretary, James Webb, carefully reviewed with him what he should say if asked about the decision by reporters. Webb preferred a "no comment," at most something like, "This disposes of the case." Acheson listened. Arriving in New York on a flight from a Bermuda vacation, he remarked: "The Supreme Court is the highest court and if it acts, that disposes of the matter."

These are the bare "facts"; the mystery of what Acheson truly believed remains. In his memoirs, Acheson wrote that "many students had been attracted by communist doctrines" in the depression-ridden thirties, and that "some of these [people] had found their way into the Government." Though Acheson himself never flirted with radical doctrines, he was an unapologetic if conservative New Dealer, long comfortable in cosmopolitan settings and discussions. His friends represented a wide spectrum of professions and points of view.

During the Cold War he would have profoundly disapproved of any "friend" who became a Soviet agent, purloining government documents, microfilming them, and passing them along to code-named intermediaries to ship to Moscow. But he might have felt tolerant toward someone in the 1930s, or during the heyday of the Anglo-American-Soviet World War II alliance, who entertained sympathies for the USSR and the teachings of Karl Marx. He deeply despised the right-wingers who crusaded against communism and equated it with American liberalism. He called this rightist effusion "The Attack of the Primitives" in his memoirs. Had the accusations against Hiss originated with someone Acheson respected, rather than the FBI and the House Un-American Activities Committee, he might have reacted differently.

Robert L. Beisner is professor of history at American University.

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He Drives Them Crazy

by Matthew Rees

Reporting on national security and intelligence maters has traditionally been the province of Ivy League-educated reporters working for elite papers like the *New York Times* and the *Washington Post*. Bill Gertz hardly fits this profile. He never graduated from college, and he writes for the *Washington Times*, a conservative daily Washington elites frequently dismiss as right-wing trash published by Moonies. Not only that, but Gertz is himself a follower of Sun Myung Moon and a member of Moon's Unification Church. These facts make his achievements and reputation all the more impressive. For in his 11 years at the *Washington Times*, Gertz has become the nation's most influential daily reporter on intelligence and national security. He has accumulated some remarkable fans.

"I'm a Bill Gertz admirer," says Jamie McIntyre, CNN's Pentagon correspondent. "He has broken an incredible number of stories." *New York Times* columnist A.M. Rosenthal, formerly the paper's executive editor, calls Gertz "a very valuable reporter. . . . Every time he writes a piece I take care to read it." Even White House spokesman Mike McCurry, whose boss has been the target of many of Gertz's stories, says the unassuming and even-tempered Gertz is a "straight-shooter" who has done "more interesting reporting on national security than anyone else on the beat." The quantity and quality of Gertz's scoops this year surpass anything he's uncovered in the past and have sent the CIA and the FBI scrambling to identify the source of his prodigious leaks inside the national-security apparatus.

IN HIS 11 YEARS AT THE *WASHINGTON TIMES*, BILL GERTZ HAS BECOME THE NATION'S MOST INFLUENTIAL DAILY REPORTER ON NATIONAL SECURITY.

"Pentagon and State Department officials acknowledge that they have been driven crazy over the last few months by leaks to Bill Gertz," the *Washington Post* reported in June. CIA director John Deutch told Tim Weiner of the *New York Times* that leaks were his single biggest headache—a clear reference to Gertz. James Woolsey, Deutch's predecessor as director of central intelligence, is more direct: "When I was DCI, Bill used to drive me crazy because I couldn't figure out where the leaks were coming from. Now that I've been outside for two years, I read him religiously to find out what's going on."

Last month Gertz wrote about a top-secret CIA study declaring senior Russian government officials to be alarmed by the weak security surrounding the country's nuclear weapons. His stories on nuclear proliferation have almost singlehandedly forced the administration and Congress to subject China to closer scrutiny and resulted in the temporary suspension of development loans to Beijing.

But Gertz's biggest scoop came in March after an anti-terrorism summit in Egypt, where President Clinton had a private meeting with Boris Yeltsin. Two weeks later, the *Washington Times* ran a front-page Gertz piece with two startling allegations: During the meeting Clinton pledged to help the Russian president get reelected and asked that Moscow lift its ban on American poultry imports (much of which come from Arkansas). The story, based on a classified State Department record of the meeting, prompted the White House to request an immediate Justice Department investigation of the leak. And two days later, U.S. Ambassador to Russia Thomas Pickering was summoned to the Russian Foreign Ministry and criticized for "violations by the American side of the principle of confidentiality of diplomatic contacts."

This wasn't the first time one of Gertz's stories got noticed overseas. A few months ago, one of his colleagues was in Beijing meeting with China's foreign minister, Qian Qichen. When she identified herself and her affiliation, the English-speaking foreign minister rose from his chair and denounced Gertz's reporting on China's alleged sale of missiles to Syria and nuclear materials to Pakistan.

Even before his discovery of the Yeltsin/Clinton cable, Gertz's dispatches were being closely monitored in Moscow. A few days after an April 1991 article revealed that Soviet defense minister Dmitri Yazov had secretly visited Russian troops in eastern Germany, the Soviet military accused Gertz of being a spy for the U.S. government (an allegation revived last year by a Russian bank, Menatep, after Gertz uncovered a CIA report linking the bank to organized crime). Maxim Kniazkov, a former employee of the Soviet news agency TASS, revealed in the *Washington Monthly* that many of Gertz's dispatches in the mid-80s were of particular interest to top Soviet officials because of "his numerous contacts within the intelligence community." These pieces appeared in news summaries cleared for only the most senior Soviet officials because they "didn't want [Gertz's] information widely publicized."

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But it's in Washington that Gertz has had the most impact and caused the most consternation. Over the past year, State department spokesman Nicholas Burns has been asked dozens of questions about Gertz articles in his daily press conference, and some testy exchanges have resulted. After a June story in which Gertz quoted from a confidential CIA report alleging North Korea had supplied Scud missile materials to Egypt, Burns denounced the "gutless wonders" who had leaked the report. "It's getting a little tiring," he said, "to see this constant source of leaks to the *Washington Times* of classified intelligence documents." (The Pentagon, State Department, and CIA all refused comment for this article.)

The vast majority of Gertz's reporting is on the executive branch, so his stories in recent years have been of benefit to Republicans in Congress. One Senate GOP aide who works on national security issues calls Gertz's reporting invaluable: "The only way we've known what the administration was doing with the Russians, on ballistic missile defense in particular, was by reading Bill Gertz." Gertz does not shy from criticizing Republicans—secretary of state James Baker was an occasional target during the Bush years—but it's Democrats who are likely to feel his heat in the years ahead. "The Clinton administration is a target-rich environment," says Gertz.

Bill Gertz

Chas Fagan

If Gertz's sources were uncovered, they would surely be sacked and possibly imprisoned. So how does he do it? For understandable reasons, he won't say much on this subject beyond "developing sources is what it's all about." But Gertz does have some distinct advantages over his competitors.

For starters, the *Washington Times* has allowed him to stay on the beat longer than national-security reporters at other papers, who tend to get rotated every few years. He has had a decade to develop, nourish, and tend his sources. And national security reporting is one of the few beats where it helps to write for a self-identified conservative paper—there are many old cold warriors entrenched in the permanent bureaucracy who found the Reagan and Bush administrations far more ideologically congenial. Gertz says his "unofficial contacts" became more forthcoming once they understood that "the Clinton administration viewed the *Washington Times* as the enemy."

And the "intelligence sources" cited in so many of Gertz's stories must recognize that their information has a good chance of showing up on the front page of the *Washington Times*, which is more free-wheeling than the *Washington Post* or the *New York Times*. "We're not the *Post*," concedes Gertz. "We don't try to be the *Post*. We try to be scrappier. Unlike the *Post*, we believe in stories that make you say 'holy s—' when you read them."

Gertz has also been in the right place at the right time. The CIA has been rocked by institutional problems under the Clinton administration, not least the Aldrich Ames and Harold Nicholson spy scandals. But these problems have been compounded by a White House dismissive of the CIA, and a CIA director (Deutch) many in-house intelligence analysts see as a social liberal who has turned over day-to-day operations to Nora Slatkin, privately derided by some of her colleagues as "Tora Tora Nora." Thus the most effective way for disgruntled CIA staffers to get the attention of Deutch, and the president, is to leak material they know will get published. And in Gertz, they know they have a reliable conduit for information.

The chief criticism of Gertz's stories isn't that they lack accuracy but that they lack nuance. McCurry complains that Gertz's reporting is "a snapshot that doesn't always capture the full picture." (He also stresses that while Gertz has done nothing wrong, whoever is leaking to him is breaking the law.) Others say Gertz's stories have a sky-is-falling tone and that he writes them without identifying the motivations of his sources. These are fair quibbles, but one could make the same charges against nearly every other reporter in Washington.

Gertz, who has yet to receive a journalism award of any kind, doesn't know how long he'll stay on his beat. Reporting is "a young person's game," he says, and he's 44 now. He relaxes by reading spy novels and might want to try his hand at writing one someday. "What I've covered," he says, "has been more exciting than any spy novel I've ever read." ♦

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Only 1,400 Days To Go

by Andrew Ferguson

You really don't want to hear about this, and I don't blame you, but Lamar Alexander was in Washington last week, less than two weeks after Election Day. The former governor and presidential candidate was making the rounds, giving speeches, granting interviews, meeting with former and future political and financial supporters. What he was doing, in other words, was running for president. And he is not alone. Steve Forbes, Dan Quayle, Jack Kemp, Phil Gramm, and others are gearing up, dipping their toes in the water, sniffing the winds, preparing their hats to toss in the ring, and causing a trainwreck, a *tornado*, of mixed metaphors. They're not giving themselves a break, and worse, they're not giving us a break, either. You might say that the race is on even before Bob Dole's body is cold, except Bob Dole's body was never warm.

Normal people may think Election Day was twenty days ago, but for the presidential professional Election Day is actually 1,400 days from now. There is no time to waste. Within days of Dole's defeat Phil Gramm was making calls to supporters in Iowa—"just checking in," as one put it—and to "money men" throughout the South. Steve Forbes was launching a new "message tank," as opposed to think tank, called "Americans for [prepare yourself] Hope, Growth and Opportunity." Dan Quayle was hosting an evening reception in Washington for House Republican freshmen and sophomores to talk about, you know, the congressional agenda.

What they prefer not to talk about, however—at least for the record—is 2000. Even the presidential pros realize it might seem a bit vulgar at so early a date, and for this we can at least be grateful. Lamar Alexander has been more candid than most. On November 6, while Dole slept it off in his Watergate apartment and his campaign staffers were packing boxes back at headquarters, Lamar was up early, placing two long-planned conference calls, one to political supporters, the other to financial supporters. Inquiries were made to old staffers to see whether they will once again *Come On Along!*

"I'm very likely to be a candidate," he confessed to the Memphis *Commercial Appeal* the next day. In case anybody missed it, Alexander immediately mailed a copy of this *Commercial Appeal* story to all his supporters. And suddenly—mysteriously!—bumperstickers began appearing in New Hampshire that bore Alexander's trademark plaid and the legend: 2000! (exclamation point in the original).

Alexander has good reason to move quickly. The Great Mentioner is even now mentioning his fellow Tennessean, Sen. Fred Thompson, as a possible presidential contender for 2000. Thompson was reelected on November 5 with 61 percent of the vote. An RNC official from Memphis told the *Commercial Appeal*, "Alexander has a base of support. The problem he faces is that Fred Thompson is frankly much more charismatic." (More charismatic than Lamar Alexander?) Tennessee, though a perfectly fine state in many respects, probably isn't rich enough to support two presidential candidates—or three, assuming Al Gore makes a run. With his early telephoning, Alexander hopes to freeze in place any financial backers who might otherwise be seduced by the Thompson come-hither. (The stakes are high. In a list of the ten most generous zip codes for campaign donations in 1996, three were in Nashville—all of them milked by Alexander till they mooed with pain.)

THE 2000 PRESIDENTIAL CAMPAIGN HAS BEEN UNDERWAY FOR MONTHS. IT WAS MERELY DISGUISED AS THE 1996 CAMPAIGN.

It may seem ludicrous that the 2000 campaign is already underway, but the reality is more ludicrous still: The 2000 campaign has been underway for months. It was merely disguised as the 1996 campaign. You will be further shocked to discover that many of the potential Republican candidates concentrated their post-convention work in New Hampshire and Iowa. Alexander, Quayle, Kemp, and Forbes all found reason to travel there—Alexander even campaigned for members of the New Hampshire House of Representatives, of whom there are 400, roughly half the population of the state. For his part, Forbes traveled to more than 40 states from July to November, attended 430 individual events, and did 760 interviews, on behalf of other Republican candidates. And each of those candidates, win or lose, received a call from Forbes himself the day after the election. Just checking in.

But no one was a more selfless campaigner than Quayle. "He worked his tail off—especially in the South," says one southern GOP operative. "He's got chits everywhere." And he was just as tireless on Wednesday, November 6, phoning every House freshman with congratulations or condolences. Through his political action committee, Campaign America,

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Quayle donated money to candidates, as did Alexander through his PAC, the Republican Fund for the '90s. Soon there will be many Republican funds for the '90s. Kemp has told colleagues that he'll start up a PAC; so too Forbes, so too Gramm. If they don't move quick, all the good names will be taken.

But what, you probably weren't going to ask, about Pat Buchanan? Characteristically, Buchanan is going his own way. Former aides assume he'll try again in 2000—he too campaigned widely and selflessly this fall—but since November 5 he's been holed up in the basement of his Virginia home, writing a book about the history of American foreign and trade policy. It's a bizarre image: a potential presidential candidate, hunched in front of a word processor, surrounded by scholarly books, writing a manifesto to clarify his thinking on the great issues of American history. What a loser. ♦

NEWT, THE ANTI-FEDERALIST

by William F. Connelly, Jr.

HOUSE SPEAKER NEWT GINGRICH believes ideas have consequences. During the 104th Congress he sought to use the bully pulpit of the speakership to "set the intellectual framework" of political discourse in America. Now this former history professor has made history. To Gingrich goes much of the credit for the first reelection of a House Republican majority since 1928, along with the credit and blame for the successes and failures of the 104th Congress. For that reason we may want to take seriously his ideas.

In the speaker's thought, one hears clear echoes of the Anti-Federalist critique of the Constitution 200 years ago. The Anti-Federalists were suspicious of executive power and skeptical of the magisterial tendencies of the presidency ("This Constitution squints toward monarchy," in Patrick Henry's phrase). They were the legislative supremacists of their day, though they were wary enough of the aristocratic proclivities of the Senate. Gingrich similarly sought to institute "congressional government" during the 104th Congress, with the House as its center of gravity. And the very idea of a Contract With America echoes the Anti-Federalist call for accountability in government. The Anti-Federalists wanted "citizen legislators," not career politicians; they favored "rotation" in office, the functional equivalent of term limits.

SPEAKER GINGRICH THOUGHT HE COULD CREATE "CONGRESSIONAL GOVERNMENT" WITHIN EXISTING INSTITUTIONS. HE WAS WRONG.

The Anti-Federalists were, in fact, federalists. They wanted government close to the people and feared a strong national government. No doubt they would cheer Republican efforts to devolve power to state and local governments. Ironically, today's House GOP faction calling itself the "New Federalists" should strictly be the "New Anti-Federalists," as no doubt historian Gingrich could tell them.

But the Anti-Federalists lost the ratification debate 200 years ago. Today we are governed by James Madison's Constitution. And in this confusion lies an intellectual error that explains the most serious failure of the House Republican revolutionaries in the 104th Congress: They misunderstood the constitutional separation of powers.

Speaker Gingrich thought he could create "congressional government" within existing insitutions. Indeed, he thought he was returning our constitutional system to some mythic natural condition of legislative supremacy. He often pointed to the golden age of supposed legislative dominance in the late 19th century. In the heady days of 1995, Gingrich acted as if he had in fact created parliamentary government, with the speaker as prime minister. The president, and even the Senate, were irrelevant, House Republicans insisted. Gingrich tried to govern from the House. More important, he temporarily convinced America that he had recreated congressional government; indeed, he convinced us that the House *was* the government pure and simple. Consequently, whom did America blame when the government shut down? Normally we would blame the president if the lights went out in Washington, but after being told that we were watching congressional government in action, the country blamed the House Republicans.

Perhaps the fatal manifestation of the House GOP's error was the decision to take on Medicare without holding the presidency. This left the Republicans open to Clinton's shameless medagoguery. The bully pulpit of the presidency still trumps the bully pulpit of the speakership. More to the point, Congress

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cannot ignore the constitutional authority of the president, including most obviously the veto.

Congress and the president need each other. They are two halves of a whole; neither is a complete policy-making institution unto itself. Each brings its peculiar virtues to the relationship. The executive can act with energy, dispatch, and direction. Congress is deliberate. Congress is very good at talking, at second-guessing the executive and equivocating. Congress is good at watching the executive, at providing oversight. But Congress is at a disadvantage when it comes to action. Congress is responsive to the multiplicity of interests and opinions in the nation. As a consequence, it is often open to the charge of being run by special interests. But Congress is also a good incubator of ideas, including ideas borrowed by presidents. Congress is creative chaos and poor at appealing to public affections. The people want presidents to discipline the disorderly legislature.

Paradoxically, the separation of powers not only provides for the institutional independence of the president and Congress, but simultaneously makes them dependent on each other. Madison understood that different institutions do different things. This differentiation of functions at the heart of the separation of powers makes each branch better at doing its own thing. The separation of powers limits the abuse of power, but it also provides for the effective use of power. Finally, the competition between the two political branches can inject energy into the policy process.

We hear much today about how both Democrats and Republicans have been "chastened" and how they've "learned" from the failings of the 103rd and 104th Congresses. Both parties can, and should, learn a great deal by heeding the separation of powers. Note the natural rhythm of elections in the 1990s: Had George Bush not lost the White House in 1992, House Republicans would not have won a majority in 1994. Had they not won in 1994, Clinton's second two years would have been as dismal (and as liberal) as his first two years. And Clinton's 1996 victory virtually guarantees substantial gains for congressional Republicans in 1998.

Given the House GOP's erstwhile fondness for revolutionary rhetoric, an apt description of the 1996 election might be Lenin's "two steps forward, one step back." Or, as that famous House Republican revolutionary Sonny Bono might say, "The beat goes on." The "six-year itch" will almost certainly strengthen GOP control of Congress beyond the 1998 midterm elections.

Ideas matter. Ideas have practical political consequences, especially ideas embodied in our constitutional institutions. Following the 1996 election, Bill Clinton is president, Newt Gingrich is speaker, and James Madison still rules America.

***William F. Connelly, Jr. is a professor of politics at Washington and Lee University. He co-authored with John J. Pitney, Jr.* Congress' Permanent Minority? Republicans in the U.S. House.**

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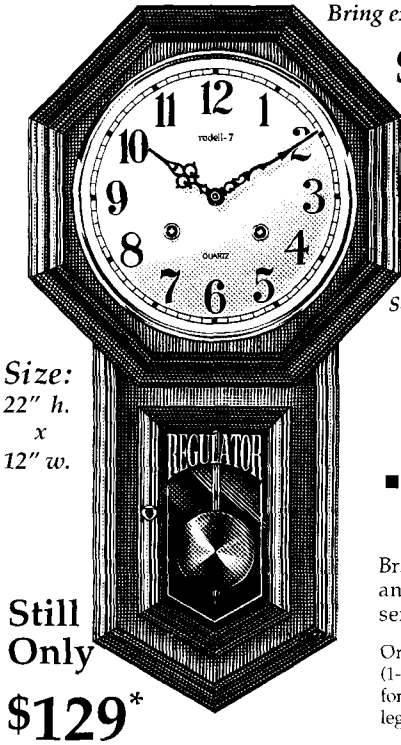

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EUGENICS, AMERICAN STYLE

The Abortion of Down Syndrome Babies

By Tucker Carlson

Testifying before Congress in the spring of 1990, Arkansas state health director Joycelyn Elders took an unusual tack in her defense of legal abortion. "Abortion," she said, "has had an important, and positive, public-health effect," in that it has reduced "the number of children afflicted with severe defects." As evidence, the future surgeon general cited this statistic: "The number of Down's Syndrome infants in Washington state in 1976 was 64 percent lower than it would have been without legal abortion."

Her remark went all but unnoticed at the time and has received little attention since, even during Elders's contentious tenure as surgeon general in the Clinton administration. But it was a significant statement nonetheless, if only because it represents one of the few occasions on which a public health official has publicly acknowledged the eugenic utility of abortion. Terminating a pregnancy, Elders argued, is not simply a difficult personal decision, an agonizing last resort. When guided by public-health objectives, abortion can also be a *positive* act—a means of improving the species.

Stylized and dulled by euphemism as it is, the debate over abortion in America rarely allows for statements as clear and direct as Elders's, and the words may sound almost unrecognizably harsh to ears accustomed to intentionally opaque terms such as "choice" and "life." But what Elders said is nothing new. For 30 years, nearly every element of Western medicine—physicians, geneticists, insurance companies—has, explicitly and not, encouraged the use of abortion to reduce the incidence of birth defects.

The effort has succeeded dramatically, particularly in the case of Down Syndrome, the most frequently occurring genetic disorder. Far more women now are able to detect Down Syndrome pregnancies, and far more end them with abortion. Yet even as it becomes easier and more common to prevent children with Down Syndrome from being born, the justification for doing so grows murkier.

Unlike many other genetic anomalies, such as Tay-Sachs and anencephaly, Down Syndrome (also known as Down's Syndrome or Trisomy 21) is not a terminal disorder. Children born with Down Syndrome are not vegetables, nor are their lives demonstrably not worth living. Indeed, advances in science and changes in public perception have combined to make Down Syndrome a relatively mild birth defect: The average child born with Down Syndrome in America today can expect to reside at home, go to school, learn to read, hold a job, and live to the age of 55. He will grow up cognizant of ethics and events, and will be mildly to moderately retarded, with an IQ of between 55 and 70. It is one of the triumphs of modern society that the life of the average person with Down Syndrome has become strikingly normal. Except that, unlike normal people, people with Down Syndrome have been targeted for elimination.

Of 22,000 women who received prenatal diagnosis in one 1990 study in Canada, 88 percent of those who found they were carrying a child with Down Syndrome aborted the fetus. Other studies have put the rate of Down Syndrome abortions at about 90 percent, some even higher.

Last year, British journalist Dominic Lawson published an article in the London *Spectator* about the birth of his daughter, who has Down Syndrome. Lawson, a self-described atheist, expressed outrage at the National Health Service's policy of providing free prenatal tests for, and complimentary abortions of, babies with Down Syndrome. He went on to compare the policy to the Nazi eugenics program. Lawson's article was reprinted in the *Daily Mail*, prompting scores of letters to the editor and counter articles. Partly in response to what Lawson had written, a bill was introduced in the House of Lords that would outlaw abortions conducted solely to prevent the birth of a child with Down Syndrome. (Currently, abortion of "seriously handicapped" children, including those with Down Syndrome, is legal in England through the ninth month.) A national debate has begun.

So far, no such public discussion has broken out in the United States, where amniocentesis and other genetic tests have been used to target Down Syndrome pregnancies for abortion since at least the late 1960s. In 1959, French geneticist Jerome Lejeune discovered

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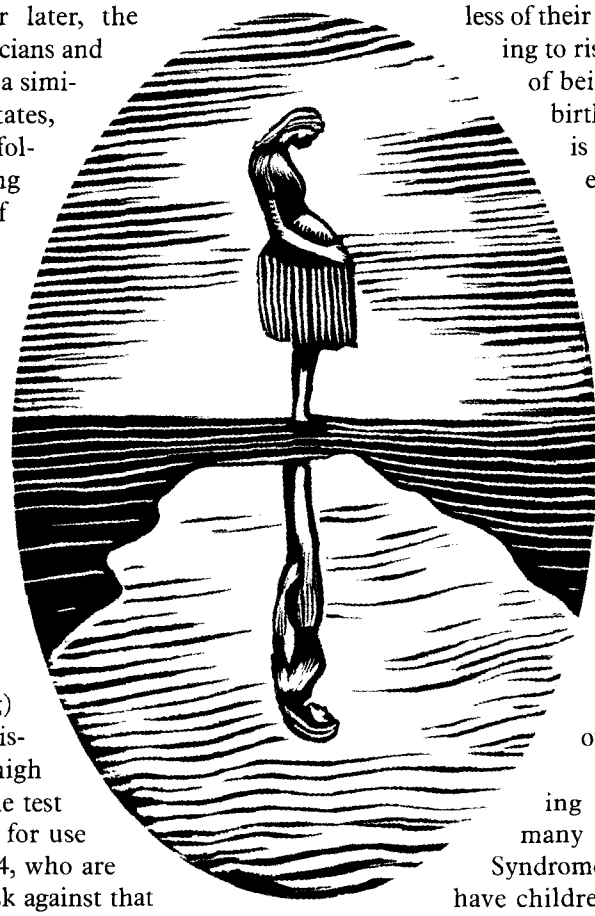
that people with Down Syndrome have an extra chromosome responsible for the disorder. The discovery soon made it possible to detect the presence of Down Syndrome in utero. Grasping the implications of his work, Lejeune grew to be a passionate opponent of abortion and prenatal testing, which he called "biological pornography."

But Lejeune could not stop what he had unwittingly begun. By the summer of 1967, the American Medical Association had passed a resolution endorsing abortion in cases in which "an infant may be born with incapacitating physical deformity or mental deficiency." A year later, the American College of Obstetricians and Gynecologists came out with a similar policy. A number of states, years before *Roe* v. *Wade*, followed suit with laws allowing abortion for the purpose of eliminating children with mental defects, including Down Syndrome.

During the 1970s, genetic testing of pregnant women became routine, a practice encouraged by groups like Planned Parenthood. Since it is an invasive procedure that entails extracting amniotic fluid with a needle from around the child, amniocentesis (like its alternative, chorionic villous sampling) carries a significant risk of miscarriage, in some places as high as one in 100. As a result, the test generally has been reserved for use by women over the age of 34, who are more willing to weigh the risk against that of having a child with Down Syndrome. (The incidence of Down Syndrome increases with maternal age, from about one in 2,000 births at age 20 to one in 10 at age 49.) In 1984, however, it was discovered that a non-invasive blood test could be used to calculate the likelihood of bearing a Down Syndrome child. The blood test made it possible to provide screening for Down Syndrome to women of all ages at no risk to the mother. In 1986, the State of California began requiring physicians to offer the tests to pregnant women. The state's health department now funds much of the screening itself, spending $56 million a year to detect prenatal birth defects.



Kevin Chadwick

The rest of the country followed California's lead. Between 1988 and 1993, the number of pregnant women who received blood tests for Down Syndrome doubled, to about 2 million. Almost all the tests were covered by private health insurance or Medicaid. Last year, the American College of Obstetricians and Gynecologists officially recommended Down Syndrome screening for all pregnant women. Although there is no cure or prevention for Down Syndrome—indeed, the only real intervention that can be taken after a positive test result is abortion—prenatal screening is now, in effect, mandatory. Few physicians, regardless of their beliefs on the subject, are willing to risk *not* offering the test, for fear of being slapped with a "wrongful birth" suit if a handicapped child is born. It has happened, repeatedly.

The rapid growth of prenatal testing has had some undeniably positive effects: A woman who knows she will bear a child with a handicap can plan to deliver in a hospital equipped for risky births. And many couples prefer the opportunity to prepare psychologically for the work of raising a disabled child. By far the most profound effect of prenatal testing, however, has been a staggering increase in the number of abortions.

The trend is clear: More testing invariably leads to more—many more—abortions of Down Syndrome children. "Most women who have children with Down Syndrome did not have the amnio," says Lori Atkins of the National Down Syndrome Society, and there is growing evidence to indicate this is true. A study of data from selected states by the Centers for Disease Control found that the rate of Down Syndrome births to mothers 35 or older dropped by about a third between 1983 and 1990. Another study, conducted over a slightly longer period, pegged the decline at 46 percent.

Larry Edmunds, a CDC statistician who is among the country's acknowledged experts on birth-defect trends, cites data from the 1980s suggesting that abortion reduced the number of children with Down Syndrome born to white women over 35 in the metropoli-

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tan Atlanta area by about 70 percent. Of the 30 percent in that study who did bear children with Down Syndrome, Edmunds explains, "those were mainly women who didn't have the test."*

Lewis Holmes, a professor of pediatrics at Harvard Medical School who works at Massachusetts General Hospital, says that in his experience, of women who learn they are carrying a Down Syndrome child, "90 percent will say they want to terminate. If you have all the technology available and educate the women as to what their choices are, that *will* happen."

Far fewer than 90 percent of women support abortion, at least in the abstract, so there is some question as to why so many are choosing it when they find they are carrying children with Down Syndrome. A number of studies have attempted to provide an answer. One, conducted by the Canadian Royal Commission on New Reproductive Technologies, found that, because of pressure from hospital staff, one in four pregnant women "felt obliged" to undergo amniocentesis. Of those who tested positive for a birth defect, one in three believed she was "more or less forced" to have an abortion.

WHY SUCH EAGERNESS TO PREVENT DOWN SYNDROME CHILDREN FROM BEING BORN? MANY SEE IT AS SIMPLE ECONOMICS.

Another study, published this summer in the *British Medical Journal*, describes the case of one pregnant woman whose child had tested positive for birth defects. Following her doctor's orders, she reported to the labor ward of her hospital for what the physician had termed an "induction." It dawned on the woman, who was five months pregnant, that the "induction" was in fact to be an abortion. Horrified, she returned home and later bore the child.

Laurie Cowan, a physician at the state of Delaware's public health department, readily admits that abortion has had a dramatic effect on births of children with Down Syndrome. "We are seeing a real drop in the rate of [Down Syndrome] children who are born. We're not seeing a drop in the rate of children who are conceived," she says. But like many in the medical profession, Cowan is wary of how such information might be used. Abortion, she explains, "has been a right that people have had. So I hope that in no way you'll do anything to try to take away that right. I'm just very concerned about that. I just hope in no way your work will undermine that." Antiabortion forces, she warns, would allow the procedure "only if the mother is raped, only if she's going to die because of this pregnancy. And that's uncomfortable for me because there are certain things that are pretty close to that."

Having a Down Syndrome child is close to being raped? To *dying*?

Why such eagerness to prevent Down Syndrome children from being born? Undoubtedly, some physicians are motivated by a belief that children with birth defects pollute the gene pool. "There is nothing wrong with eugenics," said Dr. F. Clarke Fraser, founder of the genetics clinic at Montreal Children's Hospital, not long ago in an unusually blunt interview with the *Montreal Gazette*.

Many others, however, simply view abortion and Down Syndrome as parts of an economic equation. Amniocentesis "may cost about $1,000, but a reasonably conservative estimate is that it costs $100,000 for just the first year of a Down Syndrome baby's life," explained Dr. Mark Evans, director of Detroit's Center for Fetal Diagnosis and Therapy. "How many people would I have to test to balance the lifetime cost?" he asked a *New York Times* reporter in what must rank among the creepiest rhetorical questions ever posed. "And then there are economic considerations nobody knows how to factor in, like the number of women who would have to quit their careers to care for these babies."

Actually, Dr. Evans was wrong on at least one count: A number of people *have* "factored in" the various costs of Down Syndrome. A 1995 study led by Norman Waitzman of the University of Utah sought to calculate the toll birth defects take on the American economy. The results, published in a CDC report, found that each child born with Down Syndrome will, over a lifetime, cost society about $451,000. The total cost for all children born with the disorder in a given

*There has never been a national study of the incidence of Down Syndrome. Surprisingly, however, what data there are indicate that the overall rate of Down Syndrome births—about one in 1,000—has not declined appreciably in the last couple of decades. "It's a difficult epidemiology to sort out," says Larry Edmunds, but the most plausible explanation seems to be this: More women are aborting Down Syndrome children; on the other hand, more women are giving birth after 35, causing the total incidence of Down Syndrome to rise, by close to 50 percent, according to some estimates. So far, the two trends—more abortions and older motherhood—seem to have canceled each other out. This will change, most researchers seem to agree, as access to prenatal diagnosis reaches more older mothers, particularly those outside of urban centers, where the procedure is not yet as common.

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year, the study determined, is $1.8 billion. "Particularly in these times of fiscal squeeze," he concluded, "these costs provide a vivid picture of the value of research and *prevention*" (italics added).

Needless to say, Waitzman failed to point out that, in the case of Down Syndrome, there *is* no way to "prevent" the disorder, only the birth of those afflicted with it. Obscured by euphemisms or not, calculations such as Waitzman's have not escaped the attention of insurance companies, many of which have proved indecorously eager to cover testing for potentially expensive genetic defects, most recently for cystic fibrosis.

Nachum Sicherman of the Columbia Business School, another researcher who has examined the "enormous cost-saving potential of amniocentesis," is the sort of expert insurance companies doubtless will consult as they begin to sort out the growing number of prenatal genetic tests in order to determine which ones they should pay for. Sicherman figures the cost to society over the lifetime of a person with Down Syndrome is at least $1 million—most of which, he points out, "is *not* going to be paid by parents." Numbers like these—and Sicherman's are larger than most—have led Sicherman to recommend that amniocentesis be made available to all nearly pregnant women, regardless of age. "If you take all costs into account—costs to school districts, to Medicare, Medicaid, Social Security, lost days of work for parents," he explains enthusiastically, "there is nothing more beneficial than amniocentesis, if it is given under the assumption that if Down Syndrome is discovered, there is an abortion following. It's a great cost saving."

Sicherman does more than simply theorize on the subject. "When my wife was pregnant," he recalls, "we went to Lamaze class and I asked the women there if they'd ever heard of amniocentesis." Being a mostly young and lower-income group, he says, none had, and Sicherman did his best to remedy their ignorance. It was, after all, only the right thing to do. "Everybody should tell their patients about amniocentesis," he says.

Sicherman's views may be a bit blunt for the present state of public opinion in America. Not so in the Netherlands, however, where subjecting pregnancy to rigorous economic calculation is considered a civic responsibility. A 1991 report by the Royal Dutch Society of Medicine (entitled "Life Terminating Actions with Incompetent Patients, Part I: Severely Handicapped Newborns") studied a series of 2,816 amniocenteses given to pregnant women. The tests resulted in 75 abortions, 57 of which were of "defective fetuses."

"These 2,816 amniocenteses and the chromosome analyses cost approximately $1.5 million," the study said. "This is in the same order of magnitude as the costs for taking care of one patient with Down's Syndrome in a medical institution for a period of 60 years. . . . Seen in the light of a cost-benefit analysis the conclusion is obvious."

From here, it is a short trip to killing handicapped children outright. Why, after all, stop the economizing simply because a child has left the womb? James D. Watson, who won the Nobel prize for the discovery of DNA, believed that newborns who scored below a certain level on the APGAR test given immediately after birth should be euthanized.

In fact, infants with Down Syndrome are routinely starved to death in Dutch hospitals—a practice that has been resoundingly affirmed by both that country's supreme court and its Council for Children's Protection. Nor are such practices restricted to the Netherlands. A 1975 poll found that 77 percent of American pediatric surgeons favored withholding food and medical treatment from infants with Down Syndrome and leaving them to die. Seven years later, in the well-publicized Baby Doe case, a Bloomington, Indiana, couple asked their doctor to do just that to their child born with Down Syndrome. The infant, who needed only simple surgery to correct a blocked esophagus, died after six days of neglect. In a strikingly similar incident several years later in Montreal, a Down Syndrome child died after 11 days without food or water. "The presence of Down Syndrome," said a local coroner, "was another element [in the decision to kill the child] since mongolism implies a quasi-vegetative life or severely diminished quality of life."

INFANTS WITH DOWN SYNDROME ARE ROUTINELY STARVED TO DEATH IN DUTCH HOSPITALS—AND HAVE BEEN IN THIS COUNTRY TOO.

Given these stories and the evidence that an entire population of retarded people may be wiped clean from this country, one would expect organizations that represent the disabled to be up in arms.

One would expect wrong.

"We have a clear position not to take a position on the issue of abortion," says Paul Marchand, head lobbyist at The Arc (formerly known as the Association for Retarded Citizens), one of the country's largest

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such groups. The National Down Syndrome Congress, in its "Position Statement on Prenatal Testing and Eugenics," is equally explicit: "These positions . . . in no way involve the movement in the debate over whether a woman should have a legal right to abortion."

Disability groups tend to be on edge when it comes to public perceptions of the mentally retarded (Al Gore learned this the hard way when he referred to Oliver North's political supporters as "the extra-chromosome right wing," drawing roars of protest from Down Syndrome groups). They are quick to spot even the most subtle forms of discrimination—The Arc actually has an official policy demanding equal access to dental treatment. So it is puzzling that so few groups have seen fit to comment on the growth of state-endorsed eugenics targeted—in the most discriminatory, dehumanizing way imaginable—at their own constituents. It's a little like the NAACP refusing to come out against slavery.

In 1978, the Delaware chapter of the Association for Retarded Citizens did take a position: It passed a resolution demanding that the federal government pay for abortions for poor women who learn they are carrying potential retarded citizens. The resolution prompted The Arc's national organization to convene a task force on the issue. After months of work, the group produced a 60-page report declaring that, although a majority of its members supported government funding for the abortion of retarded children, a unanimous decision could not be reached. And that, says lobbyist Marchand, was that: "I don't think anything on abortion has crossed my desk in the last ten years." The only comparable issue today, he says, is the debate within the "disability community" over whether it is valid to search for a cure for mental retardation. "It can be a touchy subject," he explains without a hint of irony, because when you seek a cure, "what you're doing de facto is devaluing people with mental retardation."

Not that The Arc spends a lot of time pondering existential questions like these. The group's real concern nowadays, says Marchand, is "the federal role in the future of mental retardation"—i.e., getting more money from the government. He rattles off a list of programs his organization is lobbying to maintain and expand: Medicaid, Social Security, disability insurance, job training, special education. "We are extremely occupied with a myriad of federal policy issues that are before us," Marchand says. "Our plate is more than overflowing."

Meanwhile, as The Arc concerned itself with its "myriad of federal policy issues," another issue was being decided on Capitol Hill, one from which the voice of the disability lobby was noticeably absent: partial-birth abortion. The vast majority of Down Syndrome children identified in utero are diagnosed using amniocentesis, which is not even performed until the sixteenth week of pregnancy. The abortions that result are of the grisly variety, some of them performed by the skull-crushing partial-birth technique on infants capable of living outside the womb.

During the debate over the procedure, the Clinton administration cited the record of abortion doctor James McMahon as evidence that a ban on partial-birth abortions would be unacceptably rigid. The pregnant women McMahon had treated, the administration argued, had received abortions to alleviate the sort of "serious health problems" that should be exempted under the ban. And what were these problems? According to data the doctor himself provided to Congress, the single most common "serious fetal defect" McMahon "treated" was Down Syndrome.

It would be unfair to single out organized Down Syndrome groups for their unwillingness to confront the subject of abortion, since the willful blindness runs much deeper. In *Life As We Know It*, his recent book about raising a son with Down Syndrome, Michael Bérubé describes the typical response on an Internet discussion group when the subject of prenatal testing and abortion arises: "Every time someone brings up the question on the listserv, he or she is met with dozens of e-mail responses reading, 'NO! NO! NOT ON THIS LIST! Please don't have this discussion here! There are plenty of other newsgroups for this debate. This is about children with disabilities.'"

Dr. Bill Cohen of the Down Syndrome Center of Western Pennsylvania, a noted authority on the disorder, has much the same response when asked about his views on abortion. "If someone comes to me and says that they're thinking about terminating the pregnancy, my job is not to convince them not to," he says. "*This is not a right-to-life issue. This is a choice issue.* This is an information issue. . . . It's hard enough to deal with any of these things without being made to feel on top of it that you've done something wrong."

Yet, it's difficult to shake the feeling that those who abort a child simply because he or she has Down Syndrome *have* done something wrong. Children with Down Syndrome are not monsters, but uncommonly gentle human beings who can and do lead full lives. And there are alternatives to abortion. "It's not at all difficult" to find homes for kids with Down Syndrome, says Janet Marchese of the Down Syndrome Adoption Exchange in White Plains, New York, one of several agencies of its kind in the United States. Over

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the past 20 years, Marchese has placed about 3,600 children with Down Syndrome; her waiting list of couples hoping to adopt rarely dips below 100.

What do people who would adopt a Down Syndrome child know that most obstetricians do not? "Having a child with Down Syndrome is not such a big deal—if you have some experience with Down Syndrome you realize that," says Nancy Simpson of Chesapeake Down Syndrome Parent Group in Phoenix, Maryland, whose eight-year-old daughter has Down Syndrome. "It's definitely not as easy as raising a typical child; there are a lot of things that are involved in it. Raising a child with Down Syndrome takes extra patience and extra care and extra time. But you also get back a completely different perspective on the world, and a great deal of love."

Sentiments like these are almost unimaginable to Jeffrey Greenspoon, M.D. Greenspoon is the director of the high-risk obstetric unit at Cedars-Sinai Medical Center in Los Angeles. In the summer of 1995, during the beginning of the debate over partial-birth abortion, Greenspoon sent a letter to Rep. Henry Hyde passionately defending the procedure, especially in cases where a child might be born with "problems . . . incompatible with a normal life," such as Down Syndrome.

"A pregnancy that is desired and planned is the foundation for the next generation of productive, healthy Americans," Greenspoon wrote. "The burden of raising one or two abnormal children is realistically unbearable."

Reached at his office, Greenspoon admits that he approves of eugenics—weeding out "babies who don't have much of a viable life." What makes him uncomfortable, he says, is the word "eugenics," which somehow has assumed "bad connotations over time. I think the better terms would be 'genetic counseling' and 'prenatal diagnosis' and 'having a country in which the option to exercise choice in whether to continue or terminate a pregnancy is a right of the people.'" After all, he says, "Sometimes you need to abandon words that have common meanings that connote the wrong ethics or morals."

But only the words have changed. ♦

THE MODERATE CRACK-UP

You May Not Know This, but the Media's Favorite Republicans Crashed and Burned in 1996

By Fred Barnes

For years now, economically conservative but socially liberal Republicans—you know, the Wilson, Whitman & Weld brigades—have been touted as politically perfect for the 1990s and beyond. The idea was these Republicans had unique appeal to women and independents and young people and yuppies and moderates and some Democrats. They could win in regions hostile to traditional conservatives like the Northeast and West Coast. They could even capture Democratic strongholds. Indeed, a few have, notably Gov. Bill Weld in Massachusetts, who argues as strenuously for gay rights as he does for spending cuts. But in 1996, running against the mildest of Democratic tides, economically conservative and socially liberal Republicans took a beating. They lost race after race. So it turns out they're not the wave of the future, or even the present, after all.

Weld, defeated by incumbent John Kerry in the country's most watched Senate contest, was the biggest loser. His presidential prospects have suddenly dimmed. Weld has enormous personal charm, campaigns exuberantly, and is unabashed about his social liberalism. He's for gay marriage and supported President Clinton's veto of the ban on partial-birth abortion. Did this help him among female voters, as promised? Not so you'd notice. His gender gap—the failure of women to vote Republican as much as men—was 9 points, nearly twice as large as Sen. Strom Thurmond's in South Carolina (5 points). In fact, the Weld gap among women was the same as that for Jesse Helms, the Senate's most unswerving social conservative, in North Carolina.

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Of course, there are many reasons why Weld lost, admirers of GOP social liberals will tell you. And they're right. Yes, Clinton beat Bob Dole in Massachusetts by 34 points (Weld lost by 7), creating a Democratic landslide. Yes, the Republican party, with glowering Newt Gingrich as congressional leader, is held in minimum regard in the Northeast. Yes, Kerry was well financed, attractive, and reasonably popular. Yes, voters could have both Kerry as senator and Weld as governor—but only by making sure Kerry didn't give up his Senate seat to Weld. And, yes, Massachusetts is an incorrigibly Democratic state. All this, says polling expert Everett Carll Ladd, was "too much for Weld to overcome." Yes, again, but that misses the point. The hullabaloo over economically conservative, socially liberal Republicans was based on their supposed singular ability to overcome just such odds, while also blurring the GOP's otherwise harshly conservative image. But on November 5, it didn't work out that way, quite the contrary.

NEW JERSEY WAS THE BIGGEST NIGHTMARE FOR SOCIALLY LIBERAL REPUBLICANS. ALL THEIR CHERISHED CANDIDATES LOST.

Rep. Peter Torkildsen, a Weld clone, was ousted from his House seat on the North Shore of Massachusetts. In New Jersey, Rep. Dick Zimmer, a moderate who backed partial-birth abortion and voted against the Republican budget, lost by 10 points to Democrat Bob Torricelli. In Rhode Island, a pro-choice, pro-gun-control woman, state treasurer Nancy Mayer, was promoted by national Republican officials as having a real shot at the open Senate seat. She lost by nearly two to one. In Maine, a socially moderate woman, Susan Collins, won the Senate race, but her opponent was a tired Democratic hack, Joe Brennan. In the California district that includes Malibu, pro-choice Republican Rich Sybert, a former aide to Gov. Pete Wilson, was favored to win the open House seat. He lost by 8 points.

There's a flip side to the failure of economically conservative, socially liberal candidates: Republicans who are conservative economically *and* socially often won, even when challenged by economically conservative but socially liberal Democrats. Sen. Bob Smith of New Hampshire, famous for bringing crude drawings to the Senate floor to illustrate the horror of partial-birth abortion, was regarded as vulnerable in a state that's trending Democratic. He won. In Kansas, Rep. Sam Brownback knocked off Sen. Sheila Frahm, a pro-choice moderate, in the primary, angering some moderates and women and a lot of the media. His general election foe was the Democratic equivalent of Bill Weld, a pro-choice stockbroker named Jill Docking who pledged she'd never vote for a tax hike. She made an issue of Brownback's unflinching social conservatism. Brownback won by 11 points, no doubt aided by the strong Republican surge behind Dole in Kansas. But Brownback also wound up with a smaller (7 points) gender gap than Weld or Susan Collins (9 points) or Pat Roberts (9 points), the Republican who won the other Senate seat in Kansas.

New Jersey was the biggest nightmare for socially liberal Republicans. Zimmer, once a conservative, ran a mean and effective campaign against Torricelli until the final weeks. Then he went soft and positive in his TV ads. In one, Zimmer was shown feeding sheep, while his wife, Marfy Goodspeed, spoke. "Living on the farm here has really taught us to appreciate how beautiful New Jersey is," she said. "Dick has always voted to protect the environment." When Torricelli's pollster, Mark Mellman, saw the ad, he declared it "insane." Looking at the ad, Mellman said, "most people in New Jersey asked, 'What state are they in?'" Within days, the pollster called Torricelli and assured him he'd won. Zimmer was "going after the shepherd vote," he laughed.

Meanwhile, two socially liberal Republicans lost House seats in New Jersey, while a pro-life conservative, Mike Pappas, won Zimmer's old seat encompassing New Jersey horse country and Princeton. Bill Martini, elected in the 1994 Republican sweep, emphasized his environmental zeal. He's pro-choice and split with House Republicans in backing gun control and a minimum-wage hike. He was endorsed by the Sierra Club. He lost by 3 points. In the district vacated by Torricelli, Republican Kathleen Donovan, a protégée of Gov. Christie Whitman, won the endorsement of the *New York Times*. She described herself as a social progressive who's pro-choice, pro-gun control, and pro-environmental protection. Also, she played up the fact that she's a single mother with an adopted child. Donovan's campaign manager labeled her "the right fit" for the district. She lost by 11 points.

In contrast, Pappas, a self-described social conservative, was helped by running in a normally Republican district. But he was hardly a cinch since the votes of GOP moderates were, as *Congressional Quarterly* put it, "up for grabs." At every joint appearance, Democrat David Del Vecchio began by bringing up the abortion

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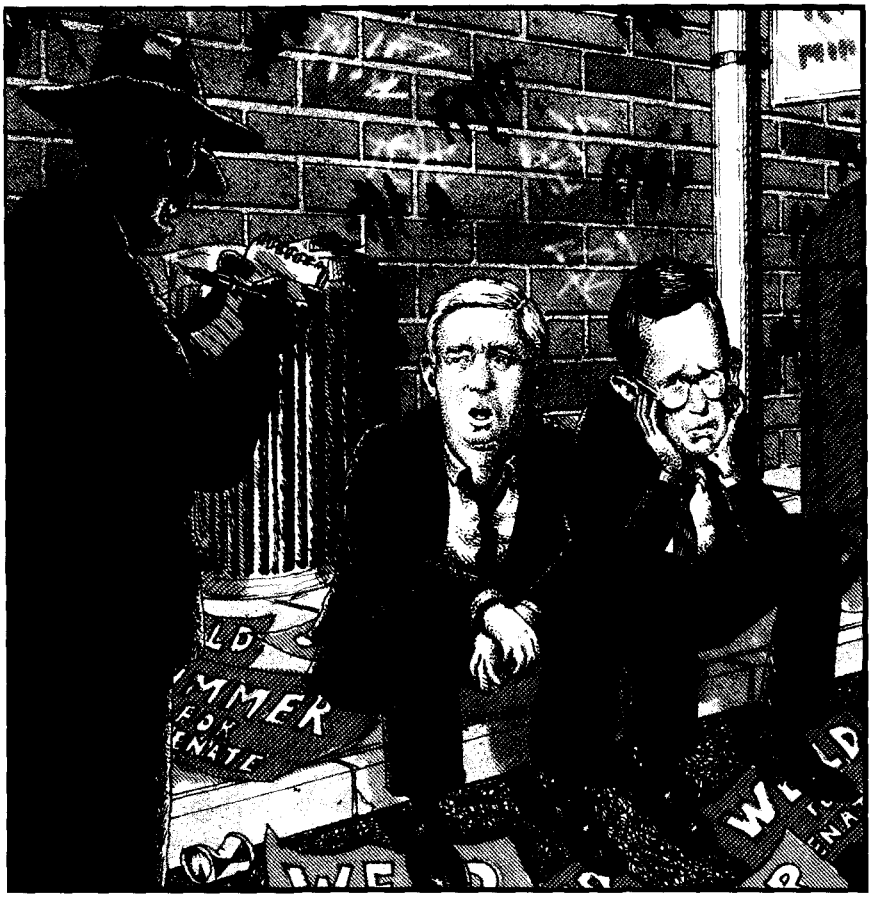

Sean Delonas

issue and pointing to Pappas's pro-life stance. Pappas didn't waffle, though he preferred to talk about economic issues. "A very important part of the coalition I put together was social conservatives," he told me. In the end, enough pro-choice Republicans drifted to Pappas because they liked his conservative economic views. He won by 3 points, proving, he says, that social liberals aren't the wave of the future. "My being elected shows that's not necessarily the case."

So does the election of Ann Northrup, the mother of six kids, in Louisville, Kentucky. "I'm unequivocally pro-life," she says. In 1994, the Republican candidate was moderate Susan Stokes, a pro-choice state legislator. She irritated conservatives, provoked a pro-lifer to run as an independent, and lost to Democrat Mike Ward—despite the GOP sweep across the country. This year, Northrup attacked Ward for voting against the partial-birth abortion ban. "It wasn't how I began every speech, but I was unequivocal there was no excuse for that vote," she says. Northrup's nomination precluded a third-party candidate, but alarmed pro-choice and moderate Republicans. "There was a decided group who started out with resentment because they disliked the religious Right. But those people came back to me," Northrup says, "because I was right enough for them on other issues." A Catholic and a state rep., she won by less than 1 point.

What are the lessons from the 1996 debacle for economically conservative and socially liberal Republicans? One is that their position on abortion may hurt more than it helps. True, states like Massachusetts and Rhode Island aren't likely to elect pro-lifers. But pro-life Republicans are more intense about their issue than pro-choicers are. As Mark Shields noted in the *Washington Post*, there are millions more single-issue voters who oppose abortion than favor it. And in the GOP, pro-choice Republicans are more likely to vote for a pro-life candidate than vice versa.

Two other points. One is the misconception about the gender gap. "It has nothing to do with abortion and social issues," insists Republican strategist Jeffrey Bell. "The big gap is on things like the Contract with America and ending welfare—spending issues." Thus, social liberals might have fared better with women if they'd moderated their economic conservatism. Zimmer did. And while he lost, he wiped out his gender gap. Weld didn't. He played up his economic libertarianism and faced a bloated gender gap.

But Zimmer caused himself a different problem. By softening his economic views and running away from Gingrich and congressional Republicans, Zimmer lost some of his Republican base. Rick Shaftan, a New Jersey pollster, says Zimmer's support eroded badly when he stressed his moderation. This is what Democratic consultant Bob Shrum calls the "internal contradiction" of being economically conservative and socially liberal. If you trim your conservatism, you stand to lose GOP support. The same may happen if you emphasize your social liberalism. Worse, socially liberal Republicans "appear insincere because they're all over the map," says Mellman. "They don't fit in a category."

Their admirers are not giving up, however. "Noth-

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ing happened on November 5 that leads me to believe that [being a socially liberal Republican] is a recipe for political death," says GOP consultant Jay Smith. To the extent these Republicans lost, says James Pinkerton, "it's unfortunate and it'll hurt the party." The GOP will be a minority party so long as its socially liberal wing atrophies, according to Pinkerton, one of the chief promoters of Weld-type Republicanism. I don't know about that. The burden of proof is not on Republicans in general, but on Weld and his ilk. They've got to succeed electorally to have a large role in the party. In 1996, they didn't. ♦

UNDISCRIMINATING DISCRIMINATION:

Where Civil Rights Law Went Wrong

By David Frum

Is the fight against discrimination being lost? Defenders of America's vast anti-discrimination apparatus would like you to think so. The celebrities, activists, lawyers, diversity consultants, university administrators, and corporate bureaucrats who campaigned against the California Civil Rights Initiative profess to regard their defeat as a step backward toward resegregation, if not white supremacy.

But to judge by the gibbering terror on the faces of Texaco's top management after a few executives were caught on tape saying ambiguously negative things about blacks in the workplace, corporate America does not feel quite as liberated as CCRI's opponents fear.

And those managers are right to be terrified. Federal anti-discrimination law has never been more zealously enforced than it is today. Never have the business practices of Americans been more intensely regulated. Never have the incentives for private litigation glittered more alluringly. Never has the government threatened malefactors with such heavy punishments. If what American society has done so far in the name of fairness is not enough, one is entitled to wonder: What on earth *would* be enough?

In the past eight years, Congress has enacted three major anti-discrimination statutes: the Civil Rights Restoration Act of 1988, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991. The 1991 law was the first time Congress offered a solid legal justification for racial preferences in employment; it also opened up lucrative opportunities for anti-discrimination lawsuits.

Many in Congress want to go farther still. At the end of the last session, 49 senators voted in favor of a law that would have extended federal anti-discrimination protection to homosexuals. An influential group led by Sen. Dianne Feinstein of California wants to prohibit what it terms "genetic discrimination": the possibility that insurance companies might someday charge higher premiums to individuals with a genetic predisposition to certain illnesses.

The federal bureaucracy has worked even more busily than Congress in pursuit of its ideals of fairness. Through the Reagan 1980s, the Equal Employment Opportunity Commission investigated a relatively steady number of complaints, between 110,000 and 120,000 a year. Since 1989, the EEOC has really gone to work: It looked into 130,000 cases in 1990, 150,000 in 1993, and 165,000 in 1995.

Nor have the courts been dormant, despite their increasing suspicion of quota schemes in the job market and higher education. Justice Ruth Bader Ginsburg has pushed the judiciary into a bold new stance on sex discrimination: Her opinion in the Virginia Military Institute case unapologetically resurrected the defeated Equal Rights Amendment of the 1970s and inscribed it into the Fourteenth Amendment. In his murky but portentous decision on a Colorado referendum banning special treatment for homosexuals, Justice Anthony Kennedy announced to the world the birth of a new category for anti-discrimination purposes: sexual orientation. The supreme court of Hawaii seems inclined to take Kennedy's hint and condemn

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the institution of marriage as a form of sex discrimination.

Private lawsuits have proliferated since 1991. Texaco's $176 million settlement with six black plaintiffs set an astonishing new record. Unsurprisingly, in the hope of defending themselves against lawsuits, American employers have resorted to race and sex quotas. They have felt obliged to do so because, under the present legal rules, once a prima facie case of discrimination has been made, the onus of proof shifts to the defendant, and it's hard to prove the *absence* of an improper motive. When Employer Smith said that all job applicants for his stockroom needed to be able to lift a 200-pound weight, did he really care about the weight—or was he secretly trying to screen out women and the disabled? And when he hired Jack over Jill, he may have *said* it was because Jack arrived early to the interview and Jill was late. But who knows why he really picked one over the other.

Though we can never know the true reason for any economic decision, there is something we can do: We can count the number of men, women, Hispanics, and blacks in Smith's work force and among his contractors. If someone at Smith University feels he has unfairly been denied admission to business school, we can check the sex and race of the graduate students. The logic of quotas is so strong that the EEOC imposed them in the very first case it ever brought, against American Container Corp. in 1972.

Theoretically, it should be possible to avoid discrimination without resorting to quotas. But as the ideal of nondiscrimination has expanded beyond its original category of race to new domains—sex, age, disability, national origin, sexual orientation, and whatever comes next—it has taken on a new, and quite opposite, meaning from the one propounded by its early and courageous advocates.

As recently as 1990, nearly half of the cases the Equal Employment Opportunity Commission decided to pursue involved allegations of racial discrimination. By 1995, that proportion had dropped to one-third. If the trends of the past five years continue for five years more, the proportion of race cases in the EEOC docket will have dropped to 25 percent by the year 2000—less than either sex or disability.

What this means is that the typical discrimination plaintiff is rapidly ceasing to be an otherwise qualified black person denied a job or a promotion because of his race. Instead, he's a 55-year-old engineer who lost his $85,000-a-year job and his health insurance when his company was sold. She's a clerk at a plant who believes she was fired because she had complained to management about the pin-ups on the men's lockers. He's an immigrant from Honduras angry because he was asked for proof of citizenship at a job interview while people who spoke accentless English were not. He's a former employee at a meatpacking plant who hurt his back, exhausted his worker's comp, and now wants his old boss to find him a desk job. She's a young lawyer who contends that her firm's requirement of a 2,500-hour year from aspiring partners constitutes a disguised barrier to the promotion of women.

Each of these people may have suffered a very real harm and may even be the victim of a very real injustice. But look at such incidents closely and you see a big—and very disturbing—difference between these new-style anti-discrimination claims and the old.

The original civil rights vision understood discrimination to be a fundamentally irrational act that sprang out of passion and prejudice. The employer who turned away a qualified black applicant, the landlord who shut the door on a black tenant, the motel keeper who denied a tired black couple a bed for the night were not just behaving reprehensibly. They were behaving foolishly. And that gave proponents of civil rights laws a very powerful argument.

It might be true, as the southern senators who filibustered the 1964 act warned, that anti-discrimination laws abridged the right of private choice. We don't normally tell people whom they must do business with, whom they must admit to their schools and clubs, whom they cannot deny a seat at a diner or a summer membership at the local swimming pool. But it is also true that American blacks in those days faced something very different from individual rejection in millions of separate little transactions. They confronted a mass boycott by the white majority, operating something very like a cartel in the business world. And like a cartel, the white boycott was not only bad for the blacks who suffered from it; it was bad for the whites who imposed it. Those same employers, landlords, hotel keepers, and so on would be much better off for having their freedom reduced. They would gain access to good workers, tenants, and customers on whom they had turned their backs for unthinking, primitive reasons.

If anti-discrimination laws constricted individual choice and freedom, it could have been said, so did laws compelling attendance at school. And like school attendance, anti-discrimination laws were a form of compulsion that might be resented at the time, but would be appreciated later by an older, wiser self. Or, if you wanted to put the case in even fancier terms, anti-

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discrimination laws could be seen as a continuation of the great Enlightenment project: using the power of the state to sweep away antiquated and unreasonable passions in order to promote the commonwealth's material well-being.

Contemporary advocates of "corporate diversity" still make something like that case today. It long ago began to ring false. As the concept of nondiscrimination grew and grew and grew, as it took on new categories of grievance far removed from race prejudice, it became wobblier and wobblier. It's less and less true that the defendants in anti-discrimination actions are behaving irrationally, sacrificing material welfare to raw prejudice. More and more often, Americans find themselves on the wrong side of the law not because they acted in a prejudiced and irrational way, but because they behaved in a way any economist would regard as perfectly reasonable: They hired the employee who didn't need $50,000 worth of access ramps and elevators, they retained the advertising firm whose executives spoke the most fluent English, they granted the partnership to the associate who didn't ask for time off to give birth.

THE PEOPLE WHO FIND THEMSELVES ON THE WRONG SIDE OF THE ANTI-DISCRIMINATION POLICE NOWADAYS ARE SELDOM BIGOTS IN THE PLAIN SENSE OF THE TERM.

Consider age discrimination. When employers choose to lay off older workers first, they aren't acting out of some unthinking prejudice against the elderly: The hatchet men making the decision are often over 45 themselves. All they're doing is responding to the fact that some employees cost more than others—they have more medical expenses, they have accumulated more vacation days, they must be paid more, and so on. The older worker isn't being let go because he's old; he's being let go because he's expensive.

Obviously that's pretty thin comfort to the former middle manager clutching a pink slip. The mass firings of mid-level executives that dominated the business pages through the early 1990s were troubling casualties of an economy in distress. The fact that these men found it so difficult to retain their health insurance was a sign of an important public-policy failure. But while the flurry of "downsizing" exposed all sorts of public and private problems, it takes quite an imaginative leap to analogize it to the maltreatment American blacks have suffered, or to propose that the remedies appropriate for racial prejudice ought to be used against firms that were acting not out of unthinking prejudice, but on the basis of precise and unemotional calculation.

Or consider our sample case of disability discrimination—the one in which the meatpacker with a bad back demands a desk job. Perhaps it would be a good idea to levy a special tax on every employer in the country and use the money to create physically less taxing work for workers who have injured themselves on the job. But surely the reluctance of individual employers to invent unneeded work in order to accommodate no-longer-able-bodied employees cannot be intelligently understood as an expression of "discrimination." The employers being sued in disability-rights cases don't feel a superstitious dread of handicapped or disfigured bodies; they feel a highly unsuperstitious dread of the cost of accommodating those handicapped bodies. It might be very wrong of them to treat their selfish profit and loss as more important than the social gains from employing the disabled. But it is not prejudice, or bias, or bigotry, or any of the other names our law encourages us to attach to it.

A bigot is a person whose harsh prejudices blind him to the facts. The people who find themselves on the wrong side of the anti-discrimination police nowadays are seldom bigots in that plain sense of the term. They are people who are being asked to pay a higher wage bill, or to widen the doorways of their hotel, or to rearrange a new mother's hours of work. Their resistance to those demands emerges not from blindness, but from a very clear-eyed awareness of *costs*. In the name of anti-discrimination, what we are really doing is imposing crushing and arbitrary taxes on randomly selected employers, landlords, and other unmalicious businessmen.

The undiscriminating expansion of anti-discrimination statutes is due to one key force: the American legal profession. We hear a great deal about the Pentagon's unwillingness to abandon the obsolete paradigms of the Cold War. But the Pentagon throbs with almost Athenian creativity compared with lawyers, legal intellectuals, and judges. The civil rights struggle was the legal profession's finest hour, and it adamantly refuses to accept that the struggle is over. It wants to replay the struggle again and again, substituting (ever more improbably) women, the disabled, and middle-aged executives in the role that once belonged to

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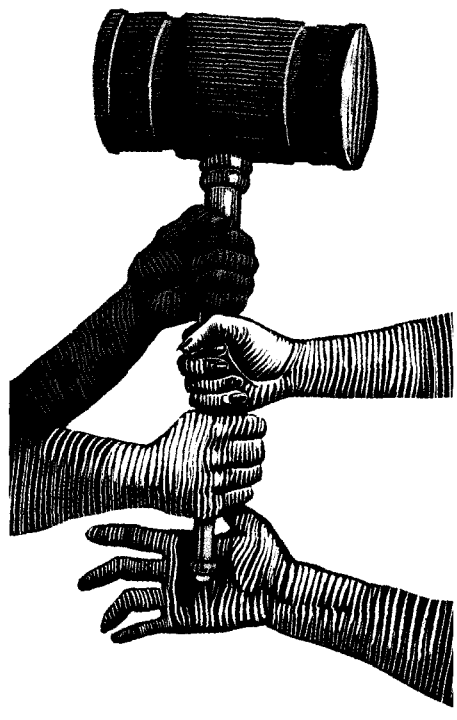
blacks. There is something hugely unreal about this. A high school that wants to outfit a girls-only field hockey team, a hotel that wants to preserve its old grand staircases, a struggling firm that can no longer afford the skyrocketing health-insurance premiums of its older workers—all these are liable to be treated as if they were a bunch of Bull Connors siccing the dogs on peaceful demonstrators.

And things are only going to get more illogical. If the ideal of anti-discrimination means anything, it means being judged as an individual, not as a stereotyped member of a group. But when an insurance company tries to treat you as an individual, by finding out medical information that will enable it to more precisely calibrate a premium to the risks you pose, it is soon likely to find itself convicted of "genetic discrimination." As Americans opt for a harder line on illegal immigration, employers conscientiously attempting to obey one law—by, for example, double-checking the validity of the documents presented by workers who don't speak English well—will sooner or later be hauled into court for violating another. As more and more states and localities add "sexual orientation" to their list of prohibited grounds of discrimination, the authorities will find themselves punishing people not just for irrational prejudices, but for acting on their First-Amendment-protected religious convictions. As employers attempt to invent new ways of work to accommodate women with children—such as mommy tracks and shorter work weeks at lower pay—every innovation will have to be reviewed by a feminist federal judiciary that has now written into the U.S. Constitution a proscription against ever acknowledging the special burdens that women bear.


Kevin Chadwick

There ought to be a better way. The special odium of the accusation of discrimination should be reserved for the most serious form of discrimination—the sort of bigotry known as racism, a bigotry that is very far from extirpated. It might make sense to delete "sex," "age," "disability," and other such categories from federal and state anti-discrimination statutes and confine these laws' application to race and race alone. Rather than fitting the difficult labor problems of a post-industrial society into the legal categories bequeathed to us by the fight against Jim Crow, we should start afresh and speak the truth.

First, age discrimination is really about the malfunctioning of the health-insurance market, and the sad side effects of paying people by seniority rather than by performance. Deal with those two issues, and the incentives for favoring the young over the middle-aged would fade away.

Second, putting the disabled to work entails real costs, and it's unfair to ask particular employers and landlords to bear large portions of those costs while others escape altogether. All must pick up their share of the load—meaning that we should be considering subsidies to employers of disabled workers, with the expense borne by some more general form of business tax.

Third, it's hard to imagine a less appropriate field for anti-discrimination law than the controversial area of "sexual orientation." One would like to see society work its way toward a compromise based on tolerance on the part of the majority and discretion on the part of the minority. Nothing is better calculated to wreck such a compromise than a heedless judicial and bureaucratic attack on America's traditional moral and religious norms.

Finally, of all the various subtypes of anti-discrimination law, it is the attempt to eradicate sex discrimination that has departed most ludicrously from fairness and good sense. The Virginia Military Institute case exemplifies the law's absurdities as well as anything. First, with stirring rhetoric about the essential sameness of men and women, Justice Ginsburg outlawed single-sex higher education. Then, with grim warnings that VMI must recognize the differences between men and women, the Department of Justice arrogated to itself the job of inspecting and revising VMI's curriculum and code of discipline.

In every way that is a legitimate concern of government, employers, educators and so on, whites and blacks can be treated as identical. Men and women cannot. So anti-discrimination law oscillates between an unprincipled insistence that men and women be

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treated alike when sameness serves feminist ideals and that women be treated preferentially when sameness does not. Meanwhile, the urgent, pressing concerns of women in the work force—a tax code that does not disfavor care of one's own children, labor rules that ease working from home and that do not threaten employers with penalties if they offer flexible working hours, tax rates that do not confiscate the gains from creating a successful business of one's own—are scanted.

Employers are damned if they do, damned if they don't when workers engage in sexual behavior on the job. An employer can be sued for complicity in sexual harassment if it does not punish workers for unwanted sexual advances; but Wal-Mart discovered that an employer can be sued for invasion of privacy when it proscribes sexual advances that turn out to be welcome. Governments, universities, and private employers all would benefit from a new, clear, and non-contradictory set of standards for meeting the special needs, responsibilities, and vulnerabilities of women in public. The language and theory of "nondiscrimination" is at best a nuisance, at worst an active hindrance, in figuring out what those standards should be.

Looking at the vast nexus of anti-discrimination law, it's natural to succumb to defeatism and resignation: Nothing so bureaucratic and colossal could ever be brought to an end, no matter how illogical and counterproductive it has become. But American law has wandered down dead ends before. Sixty years ago, a pedestrian hit by a streetcar found himself facing an entirely different set of legal rules from a pedestrian hit by a train. The difference was the product of the system known as the "federal common law," elaborated by lawyers and judges over a century of now-forgotten cases. The system kept producing perverse results, and ever more ingenuity had to be summoned up to make sense of it. It took until 1938, but eventually the whole bizarre structure collapsed. Defenders of the old federal common law worried that without it, states would plunder and pillage out-of-state corporations. Those fears weren't groundless—look at today's tort system—but they were on the whole misplaced. For the most part, Americans aren't pillagers. For the most part, they aren't bigots either. Their codes of law shouldn't regard them as if they were. ♦

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THE BRILLIANCE OF *THE REPEAL OF RETICENCE*

By David Brooks

During my first week as a reporter at the City News Bureau of Chicago, a teenager committed suicide on the northwest side. It was my job to call his neighbors and try to get them to tell me why he did it. A few days later, a semi-notable died in a car crash. I had to call the woman who had been widowed hours before and get her to say something on the record. The best way to get new widows to talk, I was instructed, is to open the interview by saying, "I've been told your husband was a generous man. Is that true?" Ever since these experiences, I've had trouble taking the phrase "journalistic ethics" very seriously.

At least we are now inured to the invasiveness of the media. But when mass journalism was fresh, people were appalled by it. Many literate Americans saw journalism as a threat to something that had been considered inviolate—the private realm where people could nourish emotions and sensibilities too delicate to withstand the glare of exposure. Critics were horrified, for example, that newspapers dared to cover something as personal as a wedding ceremony.

"All the sanctities of life are ruthlessly violated by the 'satanic press,' and for what?" wrote William Bushnell in 1886. He said journalism was "lower than brothel keeping or liquor selling, for these make no pretense to respectability, while the journalist pretends to be a public guide and teacher; and the spectacle which he presents, peddling out moral precepts with one hand and scandal, vulgar gossip, and family secrets with the other, is most revolting."

Henry James described the "sense of excruciation—of pollution" that sweeps over a person who has seen his life described in the public press. "There are decencies that in the name of the general self-respect we must take for granted," James once observed. "There's a kind of rudimentary intellectual honor to which we must, in the interest of civilization, at least pretend." But journalism pulled back every curtain and pried into every custom and manner. James wrote a novel, *The Reverberator*, about a family destroyed by a manipulative newspaperman.

IN A STUNNING NEW WORK, ROCHELLE GURSTEIN RECOUNTS THE FATEFUL CULTURAL BATTLE IN WHICH "EXPOSURE" TRIUMPHED OVER PRIVACY.

Journalism has won out, in part because the people we cover invited us into their homes, willing to give up some privacy to enjoy the benefits of publicity. Or as Rochelle Gurstein puts it more broadly in her stunning book, *The Repeal of Reticence* (Hill and Wang, 355 pages, $27.50), the whole culture shifted. The Party of Exposure vanquished the Party of Reticence.

The ethos of reticence is now so forgotten, its vocabulary so archaic, that Gurstein has to go to some pains to describe it. Her description is historical. In the 18th century, the Scottish Enlightenment created the image of man civilized by commerce. As a man encountered new and different sorts of people while trading, he would necessarily polish his manners and refine his emotions. But in the 19th century, people concluded that capitalism was not enough to enrich the personality. Quite the contrary: Capitalism could be brutalizing and could encourage conformity. So gradually attention shifted to the private realm, an area withdrawn from the harshness of public life. In their classic 1890 essay, "The Right to Privacy," Louis Brandeis and Samuel Warren wrote that "the intensity and complexity of life attendant upon advancing civilization have rendered necessary some retreat from the world, and man, under the refining influence of culture, has become more sensitive to publicity, so that solitude and privacy have become essential to the individual."

Gurstein shows how this reticent sensibility played out in daily life. After John Ruskin described (inaccurately) his first meeting with the American scholar Charles Eliot Norton in his 1888 memoirs, Norton was humiliated even to see himself described in print: "I, the lover of seclusion, am suddenly to be brought before the public under the tremendous light thrown by your affectionate imagination!" Gurstein recounts that correspondents habitually burned treasured letters, even from famous writers, because they believed that a letter

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was an intimate communication from one soul to another; it was not something to be displayed before third parties who could not share the unspoken understandings of the two original participants.

It wasn't only the power of journalism that undermined the reticent sensibility. In the sort of provocative parallels that characterize her broad-ranging book, Gurstein shows how sex education and realist novels joined journalism to make up the three prongs of the assault on reticence. Sex educators wanted everyone to talk openly and shamelessly about sex, so as to cast off the repressive aspects of Victorian culture. The realist novelists aimed to describe in photographic detail the intimate and mundane. These writers saw the metaphysics of earlier fiction as a bunch of mumbo jumbo. Their emphasis would be on the physical, the nitty gritty.

These three movements all saw privacy as a sham. They mistook reticence for a cover-up, for hypocrisy, repression, and elitism. Their operating principle was that light should flood the dark places. "Whatever must be done secretly and clandestinely will be done improperly and become an evil," wrote sociologist Lester Ward in a remark that captures a central principle of contemporary social reform. Ward and his fellow reformers were optimists about human nature, about man's ability to purify social life once all the cobwebs of custom were exposed and cleared away. They believed that shamelessness and openness were natural and that if people would simply behave naturally, then something close to utopia would be achieved. As Gurstein observes, qualities like delicacy and privacy, which had once been regarded as the foundations of civilized life "came to be blamed as the root cause of personal misery, social evil, and impoverished national culture."

Kevin Chadwick

The movement in favor of exposure picked up speed and devoured its young. One of Gurstein's more interesting themes is how the novelist William Dean Howells represented daring realism for one generation, repressed gentility for the next. The standards were shifting, and poor Howells got left behind.

Freud came along, with the theory that troubled people should uncover repressed experience and talk it out. Greenwich Village intellectuals like Randolph Bourne treated manners and customs as irrational taboos. "It is not lustful thoughts which mar human personality, but only a sense of shame," Bourne wrote. When Sinclair Lewis won the Nobel prize for literature in 1930, the literary hero had become the opposite of a Jane Austen or a Henry James type; now he was the crude depictor of dirty reality. Malcolm Cowley was speaking for the age when he disdained the "refined and bloodless" tone of genteel literature. And through these decades, the influence of Nietzsche was everywhere felt and filtered down into the larger culture by the American taste-setter H. L. Mencken.

Mencken delighted in the sarcastic exposé and posed as the tough guy who could confront harsh reality without flinching. He popularized the tone of ironic detachment. He ridiculed polite custom and consigned opposing thinkers to the ash heap as ignorant Comstockians. Mencken celebrated the enlightened minority and pioneered a tone of self-satisfied withdrawal from the stupidity of the world. His smart-setism was updated in the 1960s, Gurstein observes, by Susan Sontag.

The struggle between exposure and reticence was essentially decided in the 1930s, Gurstein says, so that by the time the "rebels" came along in the 1950s and '60s, they were pushing on an open door. She doesn't go on to describe how the ethos of exposure has dominated recent presidential politics, but it doesn't take too much imagination to extrapolate: We had a vice president publicizing the most intimate details of his sister's death; we had political conventions that were little more than one embarrassing self-revelation after another; we had Bob

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Dole, the last reticent politician in America, forced to expose his personal life, to his evident discomfort.

Gurstein is not merely chronicling this culture shift; she is lamenting it. While one is constantly delighted by her clever parallels and her imaginative research, the heartfelt argument, which sweeps one along, is that the abandonment of reticence has been a tragedy.

"Our public sphere, which should have displayed and preserved the grandeur and beauty of our civil ideals and moral excellences, is instead inane and vacuous when it is not utterly mean, ugly or indecent," Gurstein writes. To read again the words in that sentence is to see how radical Gurstein is. Grandeur, beauty, civil ideals, and moral excellences are words and phrases that have practically vanished from our lips.

Gurstein contends that customs, traditions, and protections offered by the culture of reticence provided weight to the lives of our forefathers. They connected the present to the past and the future. They provided roles through which people could pursue excellence. The sacred private realm provided ballast, which gave people the seriousness needed to construct a tasteful and ennobling public square.

But the Party of Exposure has taken intimate activities and made them banal or obscene by shoving them into public view. The liberationist temper leads to what Milan Kundera called "the unbearable lightness of being." Gurstein writes: "Lightness is essentially an aesthetic temper where a person tries to lose himself or herself in the immediacy of present experience; the aim of sexual intimacy is pleasure; the mode of erotic engagement is an endless stream of affairs."

Exposure's victory also means that we no longer have a clear notion of what constitutes the public sphere. Now, in conversation and especially in our jurisprudence, we regard the public as the sum of our private longings. We don't ask whether pornography degrades the public realm in and of itself. We ask whether we can link it to discrete individual crimes. Most Americans have a vague sense that the public realm is degraded, but don't have the language to describe their anxiety without sounding like Babbitts.

Gurstein revives lost virtues and reintroduces us to debates most people have forgotten. She is strongest when demonstrating how the exposure of the private has crowded out the more formal virtues and discussions that previously dominated the public sphere. Her weakness is that she makes the American past seem more refined and genteel than it really was. The characters she chooses to typify reticence are so reticent that few Americans would want to go live with them.

As I was reading *The Repeal of Reticence*, I imagined myself standing in a hallway, looking into three rooms. The first room is an oak-paneled study in which Charles Eliot Norton sits reading Cicero. The next is a nightclub in which Lauren Bacall is smoking sexily. The final room is a photographer's studio in which Madonna is showing off her genitalia for her pornographic photo album, *Sex*. I know Ms. Gurstein wouldn't want me to go into the Madonna room, which represents the Party of Exposure. Fine. But I'm afraid she'll insist that I spend *all* my time in the Charles Eliot Norton room, which represents the Party of Reticence. In fact, I'd also want to spend some evenings in the Lauren Bacall room, which is reticent enough for me but also something of a party, and I'm not sure Gurstein would approve.

Still, given the absolute victory of exposure, perhaps we need a response that is absolutist in favor of reticence. *The Repeal of Reticence* clarifies and illuminates a series of cultural trends that had not been so clearly described. It goes on my shelf with a handful of treasured books to be reread and consulted. It's not often that one stumbles across a book so well researched, so limpid, and so true. ♦

Music

FROM AIDS TO VERSAILLES

By Jay Nordlinger

John Corigliano has *almost* become world-famous, and for a composer of classical music who is living and breathing among us, that is rare indeed. Every day, his name grows more familiar; every day, his election by the musical gods (or at least the publicity men) is made clearer. Other composers vie for attention, and they have their audiences: Henryk Górecki, for one, whose Third Symphony is a brisk seller in record stores. But it is Corigliano, an American nearing 60, who has commanded the stage this decade, and for reasons not entirely due to his music.

He achieved real name recognition in 1991 with the premiere in New York of his opera *The Ghosts of Versailles*. It created a global sensation; not in living memory had a contemporary work of classical music been so rapturously received. But *The Ghosts of Versailles* is not the only source of his fame; indeed, it

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may already have been eclipsed by the continuing success of his Symphony No. 1. The symphony, which debuted a year before the opera, has to do with AIDS.

Corigliano wrote it after seeing the AIDS Memorial Quilt, and like the sections of the quilt, each of the symphony's movements commemorates a friend dead of the disease. It quickly won the $150,000 Grawemeyer Award, often described as "music's Nobel." And it has been treated to two major-label recordings, which is extraordinary for a work so new. The first recording, by Daniel Barenboim and the Chicago Symphony Orchestra, spent more than a year on *Billboard*'s classical chart and garnered a pair of Grammys. The second, by Leonard Slatkin and Washington's National Symphony Orchestra, was released earlier this year in time for the display of the AIDS quilt on the Mall.

The symphony has already received over 150 performances by 68 orchestras in 15 countries—staggering figures for a contemporary piece. Often it is performed in cities to which the quilt has traveled, and Corigliano himself endeavors to appear at associated "awareness seminars" and fund-raisers. Orchestra members wear red ribbons, and panels from the quilt hang from auditorium rafters. Corigliano states plainly that the piece "has a political dimension, because of all the right-wing and religious response to AIDS. If the American government had acted earlier . . . we would have saved a lot of lives. . . . I don't feel bad about saying these things, and if the symphony has to be political for the time being, that's fine."

No work ever came with extramusical credentials more sparkling; indeed, some critics have objected that the symphony is no more than musical journalism. But Corigliano is too gifted to have served up only that. This is an intelligent, arresting work, whose power and beauty are hard to deny.

It begins with the strings' pouncing on a single, angry note, announcing that a Serious Statement is in the works. This movement is by turns reflective and chaotic, melancholy and tumultuous. A piano is heard in the distance: It is Albéniz's *Tango*, a favorite piece of the departed friend to whom the first movement is dedicated. The piano continues while the rest of the orchestra maintains its mournful, slightly atonal course, like movie music during a scene in which a character gets a faraway look in his eyes and falls dreamily into a flashback.

There follows a tarantella, borrowed from an earlier (and excellent) Corigliano work, *Gazebo Dances*. It is meant to suggest the trials of dementia: Now it is merry, now woozy, now it tumbles shriekingly into the abyss. The final movement, "Giulio's Song," is an elegy for cello. It is soaring, throbbing—close to emotionally exploitative.

The symphony shows off the composer's considerable skills of orchestration; he takes an everything-but-the-kitchen-sink approach made possible by an intimate knowledge of the instruments and their relation to one another. If the piece has an obvious flaw—one that recurs in Corigliano's work—it is its tendency to bounce from idea to idea in a presentation of moods. The symphony at times seems intended to accompany something larger, rather than being a complete thing in itself.

Corigliano insists that his symphony—"generated by feelings of loss, anger, and frustration"—is not bound by its ideological mission and will survive it. "I pray for the day when my symphony is no longer specific," he says. In Kiev, "they just heard a tragic symphony," whereas in San Francisco "the audience realized it's very specific." Yet "part of the greatness of music is its non-specificness. Without words, classical music is not threatening. My symphony has been played in very conservative places and it gets through where words don't—to people who would never go to see a play or even a ballet about AIDS."

Corigliano has fixed that, however, with a new piece that can be heard on the Slatkin recording. Titled *Of Rage and Remembrance*—the subtitle of one of the symphony's movements—it is a cantata for voices, strings, and percussion. The cantata sets to music a poem by William M. Hoffman that calls the roll of deceased friends and laments a "season of stone." The work is convincing in its way—some will even prefer it, in its theatricality, to the symphony—and it refrains from crossing the line into the hectoring and maudlin until the end, when members of the chorus are invited to shout out names of those who have died and whom they wish to remember. And thus the piece becomes group therapy.

The happiest consequence of the "AIDS symphony"—whose trappings virtually guaranteed its success—is that Corigliano's earlier compositions are being accorded a wider hearing. For 30 years, he had been writing commendable music, with little public attention. Musicians certainly knew of him, but *Time* and *Newsweek* had yet to seek an interview.

Corigliano, born in 1938, is John Jr. His father, John Sr., was for 23 years the concertmaster of the New York Philharmonic and did everything he could to discourage his son from pursuing music. He went so far as to show the young man's violin sonata to the conductor George Szell and the composer David Diamond in the hope that they would disparage it. They would not. John Jr. showed great promise, they said, and the exuberant, spiky sonata is today one of the

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most respected in the American repertory.

Corigliano gained a bit of notoriety in 1970 with a rock-and-roll opera, *The Naked Carmen*, the sort of work that flourished like weeds back then. But he continued to prosper with works like the charming *Poem in October*, a setting of Dylan Thomas verses for tenor and chamber ensemble. His reputation among musicians was cemented later in the 1970s with three concertos for woodwinds—especially a clarinet concerto. Stupendously difficult to play, it is the current standard for virtuosity among clarinetists, only a relative handful of whom can manage it, and it was his best-known work until the symphony and *The Ghosts of Versailles* made their marks.

In the early 1980s, Corigliano joined the list of distinguished composers who have turned to Hollywood for a little glamor and cash, writing scores for the films *Altered States* and *Revolution*. But his big break came from an unlikely source: the Metropolitan Opera Company, one of America's leading musical institutions and an alleged bastion of conservatism. It had not staged a new opera in 25 years, but it wanted one—an American one—for its centennial season. The Met selected Corigliano, and *The Ghosts of Versailles* was the dizzying result.

Its opening was *the* cultural event in New York that year. Even those who cared little about opera or music had a vague awareness that something unusual, something pulse-quickening, was taking place. Most of the critics were excitedly approving; the house was sold out every night; the public bubbled over; *Time* and *Newsweek* came to call on Corigliano. He was transformed into a phenomenon.

Corigliano was audacious in his choice of subject: He went to the core of the art form, the Figaro operas, based on the 18th-century comedies of Beaumarchais. Rossini and Mozart had taken two of the trilogy (in *The Barber of Seville* and *The Marriage of Figaro*); Corigliano claimed the third, *La mère coupable*. The story revolves around Marie Antoinette and the doomed court of Louis XVI; they are the "ghosts" of the title, banished from the earth and suspended in a no-man's-land. A ghostly Beaumarchais, who is a character in the opera, falls in love with Marie and seeks to win her affections and spare her neck by creating another Figaro story that can somehow reach back in time and alter historical events. The plot is zanily complicated in the tradition of *opera buffa*. "I couldn't follow the last act of *The Marriage of Figaro*, and this is even worse!" one of the ghosts exclaims.

John Corigliano

As this crack suggests, *Ghosts* is an opera about opera. Corigliano and his librettist, again Hoffman, alternate between mocking the medium—sometimes scaldingly—and paying homage to it. The work is filled with musical allusions and inside jokes; Rossini, Mozart, and others are quoted liberally throughout. So too are various operatic traditions. At the end of a particularly riotous stretch, a stereotypical Valkyrie, complete with horned helmet, stomps to the front of the stage, plants her feet, and sings, "This is not opera! Wagner is opera!"

But *The Ghosts of Versailles* is not merely camp, though camp it certainly is. There is, for example, a sublime quartet at the end of the first act that includes an especially memorable melody on the words, "Come, my darling, come to me; come to the place I have made for thee." *Ghosts* is an eclectic work, using harpsichord and synthesizer; harmony and discord; Baroque, Classical, Romantic, and Modern techniques (one hostile critic called it a "masterpastiche.") *The Ghosts of Versailles* is a great mess of a work, but whether you are appalled or fascinated by it (or both), your interest does not flag and you marvel at the daring—at the gaudiness—of it all. The opera is a curiosity for now and a cause for rejoicing among those who leap at anything new simply because it is new; but it shows signs of staying power.

So John Corigliano is riding high. Still, the question may arise from skeptical conservatives: Is Corigliano celebrated and puffed because he is outspokenly homosexual and outspokenly left-wing? Ah, but if these were the only criteria for fame in the world of music, today's composers would be appearing on Wheaties boxes like Olympic gold medalists.

A record company recently issued a recording called "Gay Amer-

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ican Composers," a hilariously unnecessary and redundant title. (It is like producing a recording called "Spanish Composers of the Zarzuela.") And yet fame has found Corigliano as it has not found, to take one example, Lee Hoiby, an American composer some 12 years older who has toiled all his life in virtual anonymity.

Corigliano's secret is that he strives to please concert-goers and music-lovers. Many modern composers view accessibility with suspicion and unpopularity as a badge of honor. Write so much as a tuneful triplet, and you could be dismissed—in the music departments of the poorer universities, for example—as a sellout. It sounds bizarre to assert that a composer has "dared" to be popular, but this is what Corigliano has done.

He has had his flirtations with modern compositional methods—serialism, minimalism, and the rest—but he has remained an adventurer and synthesist, opting to experiment and borrow. Corigliano is an intellectual who has thought deeply about his craft, but he has resisted the temptation to become incomprehensible and to spurn beauty as a blight. He thinks of himself as a communicator, and not merely with himself and his chums from the conservatory.

Corigliano is, as Aaron Copland said of him, "the real thing." He may not prove to be immortal, but immortality is a lot to ask in an age when even interesting mediocrity is scarce. And it *is* possible that, generations from now, pianists will rip into his piano concerto, clarinetists revel in the exhibitionism of his clarinet concerto, and singers give voice to "Come, my darling, come to me . . ." as audiences smile and sigh and cry. ♦

Movies

SWINGIN' DOWN THE LANE

By Mark Gauvreau Judge

Like the deadly virus in the movie *Outbreak* that hatches in a tiny village then almost eats the world, Quentin Tarantino has gone from minor curiosity to malevolent force of nature in a very short time. *Pulp Fiction*, the young director's 1994 breakthrough film, has become a cinematic benchmark. Its gangster chic, shameless pilfering of scenes and styles from other movies, and self-conscious references to pop culture are now the first language that many upcoming directors learn to speak.

At first glance, the low-budget art-house comedy *Swingers* seems to be the newest *Pulp Fiction*. A surprise hit that advertises itself as a celebration of "lounge," the Rat Pack-worshipping, martinis-and-swing-music milieu that has recently become popular among rock and rollers tired of grunge, *Swingers*' appropriation of the latest pop-culture fad appears to be nothing more than an exercise in cheap Tarantino-style irony. Yet the film, an occasionally sweet and witty story of lost and found love, almost succeeds by rejecting the Tarantino morality, if not the Tarantino style.

Swingers follows Mike (Jon Favreau, who also wrote the script), a hardly-working comedian who has just moved to Los Angeles after being dumped by his girlfriend of six years. Mike is devastated by the breakup, and to salve his wounds he teams up with an out-of-work actor named Trent on a quest for love and dissipation. Trent, played with smarmy charm by Vince Vaughn, is all surface, speaking in an ersatz Dean Martin dialect that refers to anything cool as "money" and women as "babies." Trent and Mike make a pilgrimage to Vegas and lose all their money, bum around L.A., and troll for babies with two other destitute actors who, like Trent, dress like the year is 1958 and they are working as Sinatra's bodyguards.

Swingers, like *Pulp Fiction*, is partly a film about film. When Mike and his buddies aren't drunk or trying to "score digits"—get a girl's phone number—they talk about movies, even arguing about their favorite shots from particular films. When Mike accuses Tarantino of lifting from Martin Scorsese, a friend replies that "it's the movies—everybody copies everybody." To prove the point, director-cinematographer Doug Liman stages the next scene as a deliberate imitation of Tarantino's *Reservoir Dogs*—and later pays homage to *Goodfellas* and *Saturday Night Fever*.

These scenes, however, don't fit with the rest of *Swingers*, and their incongruity reveals the conflict at the heart of the movie. However hard they try, Favreau and Liman are just too human to be Tarantino. Favreau's Mike is a fully sympathetic character, and there is no such person in the Tarantino *oeuvre*. In the film's most painful scene, Mike meets a girl at a bar, gets her phone number, calls her the same night and leaves six messages on her machine, his desperation ruining any chance he might have had. By filming from waist-level up, Liman relentlessly captures Mike's writhing as he slowly implodes. With Jay Leno's sweetness and Woody Allen's neurosis—he even looks like a combination of

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Diner *guys updated: Vince Vaughn (second from left), Jon Favreau (center), and friends lounge it up in* Swingers.

the two men—Favreau's Mike is the only one in the movie who finds Trent's nonstop hip-speak cloying and manipulative. He sees the deeper psychological problems behind the fact that Trent—like many of his generation—is so saddled with irony and secondhand style he can't break character and open up.

The movie *Swingers* really wants to be is not *Pulp Fiction* or a Rat Pack vehicle like *Robin and the Seven Hoods*, but 1982's remarkable *Diner*. Set in 1950s Baltimore—a time when people really did talk like Dean Martin—*Diner* also follows a group of bored, directionless guys trying to come to grips with relationships and growing up. Instead of hanging around a diner, though, Mike and his friends travel in a tight car caravan around L.A. and glide into parking spaces together with the precision of synchronized swimmers.

Yet something is missing. *Diner* has characters whose idiosyncrasies add up to more than self-pity, and dialogue that goes deeper than pastiches of popular culture. They suffer real human insecurities but survive on wit and the ability to bond with one another. The film has a virtue that disappears from *Swingers* whenever Mike's not on screen—heart. Mike would have fit in well with the guys from *Diner*; without him, *Swingers* could be called *Ciphers*.

Diner is hardly a chick flick, but it largely avoids *Swingers*' most glaring flaw: a loutish misogyny. While the conventions of guy-gang movies dictate that women play a limited role, in *Swingers* the formula is taken to distasteful levels. For all his high-roller bravado and Sinatra worship, Trent lacks the simple gallantry of many men of Sinatra's era. Terminally narcissistic, he beds one woman purely for self-satisfaction and dumps another seconds after scoring digits (Favreau's screenplay *is* kind of contagious) when it turns out she has a personality.

Mike is trapped in this moral vacuum—a transplant from New York, he's just too grounded for L.A.—but his decency redeems both him and *Swingers*. Mike opens himself up to the possibility of new love only by rejecting Trent's Hollywood ethos (actually, it's more like Burbank). Unlike his pals, he has character, and character is what makes him, and much of *Swingers*, money. ♦

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Oprah Winfrey's monthly "book club" is solely responsible for the sale of more than 1.5 million books in the last two months. — *News item*

Parody

JUDGE ROBERT H. BORK

Dear Miss Winfrey,

Though you represent everything corrupt and lowering about our culture, I heartily recommend my Slouching Toward Gomorrah for your next monthly book club. Perhaps, in this way, you could make it up to America.

Sincerely,

Mistress Oprah Winfrey,
Harpo, the West Loop, Chicago

Honourable Lady,

Though our days be short in this unhappy vale, yet does it seem the spending of it in the consideration of times and men past may bring enlightenment to all. Therefore do I pray you, accept these, the three volumes of my humble work, The Decline and Fall of the Roman Empire. And if it should be that its homely lessons might serve them who only call you "Oprah" and "Oprah" alone, then my bookbinder is agreeable to a blanket offer of a 10 percent discount if your viewers order over the World Wide Web (www.breadandcircuses.com).

I am, Lady,

Abashed to sign myself

Edward Gibbon

Donna Oprah Winfrey,

Floods and fire will devastate Harpo Studios by the year 1997. That is indisputable. But the river of time can be altered in its flow by some agency—if, to take one example, you were to include my Prophecies in your book club.

With trepidation,

NOSTRADAMUS

Ma chère Oprah Winfrey –

I think many in your audience—especially the ones you have on during sweeps—would enjoy my 120 Days of Sodom.

Amitiés,

the Marquis de Sade

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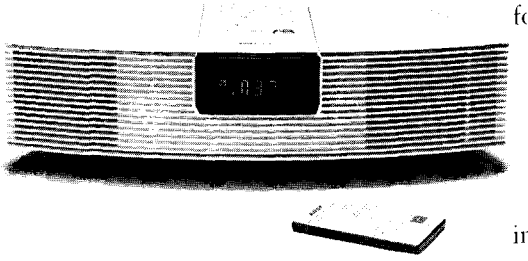
Why you should pay $349 for this radio.

Obviously, it better not be just another radio. This one isn't. Quite simply, the Bose® Wave® radio gives you sound that's richer, more natural, more life-like than you've ever heard from a radio. Many people think it actually sounds more like a stereo system. It's no exaggeration to say you have to hear it to believe it.

Finally, Bose sound from a small radio.

The Wave radio is from Bose, one of the world's leading makers of audio equipment. A few years ago, we undertook the task of getting Bose quality sound from a small radio. To do it, we used our patented acoustic waveguide speaker technology. Just as a flute strengthens a breath of air to fill an entire concert hall, the wave-guide produces room-filling sound from a small enclosure.

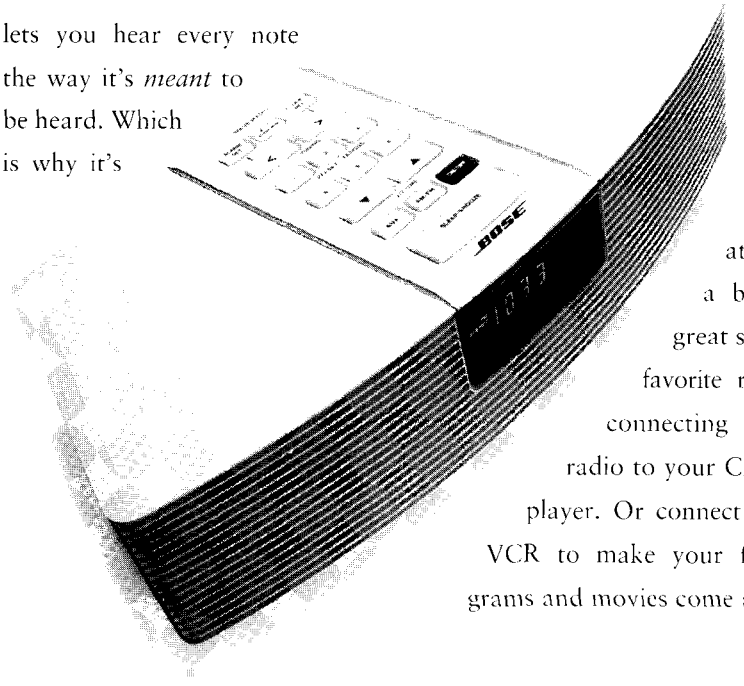
Touch a button and hear your favorite music come alive in rich, life-like stereo sound—sound that lets you hear every note the way it's *meant* to be heard. Which is why it's well worth $349. No matter what kind of music you enjoy, the Wave radio will truly increase your listening



pleasure. Consider that *Popular Science* honored the Wave radio with a "Best of What's New" award. *Business Week* named it a "Best New Product of 1994." And it measures just 4.5″H × 14″W × 8″D, so it's small enough to fit almost anywhere. You can listen in your bedroom, living room, kitchen, or any room.

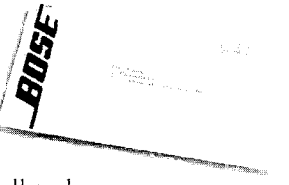
Great sound made easy.

In addition to great sound, we built in an array of easy-to-use features no other radio gives you. Operate the radio from across the room with the credit card-sized remote control. Pre-set your favorite six AM and six FM stations and switch between them at the touch of a button. Bring great sound to your favorite recordings by connecting the Wave radio to your CD or cassette player. Or connect your TV or VCR to make your favorite programs and movies come alive.



Call now and make six interest-free payments.

We don't expect you to take our word for how good the Wave radio sounds. You really have to hear it to believe it. The Wave radio is available directly from Bose. Use the toll-free number or the coupon to request more information. Or call to learn about our in-home trial and our satisfaction guarantee.



And if you call today, you can enjoy the convenience of six interest-free payments.

Call 1-800-845-BOSE, ext. R3572, or send the coupon today.

You've had a lot of radios—small radios, portable radios. It's time you owned the best-sounding radio—the Bose Wave radio.

Call 1-800-845-BOSE, ext. R3572.

Mr./Mrs./Ms. _____
Name (Please Print)

_____
Address

_____
City State Zip

( )
Daytime Telephone

( )
Evening Telephone

Mail to: Bose® Corporation, Dept. CDD-R3572, The Mountain, Framingham, MA 01701-9168, or fax to 1-508-485-4577. Ask about FedEx® delivery.

BOSE®
Better sound through research®

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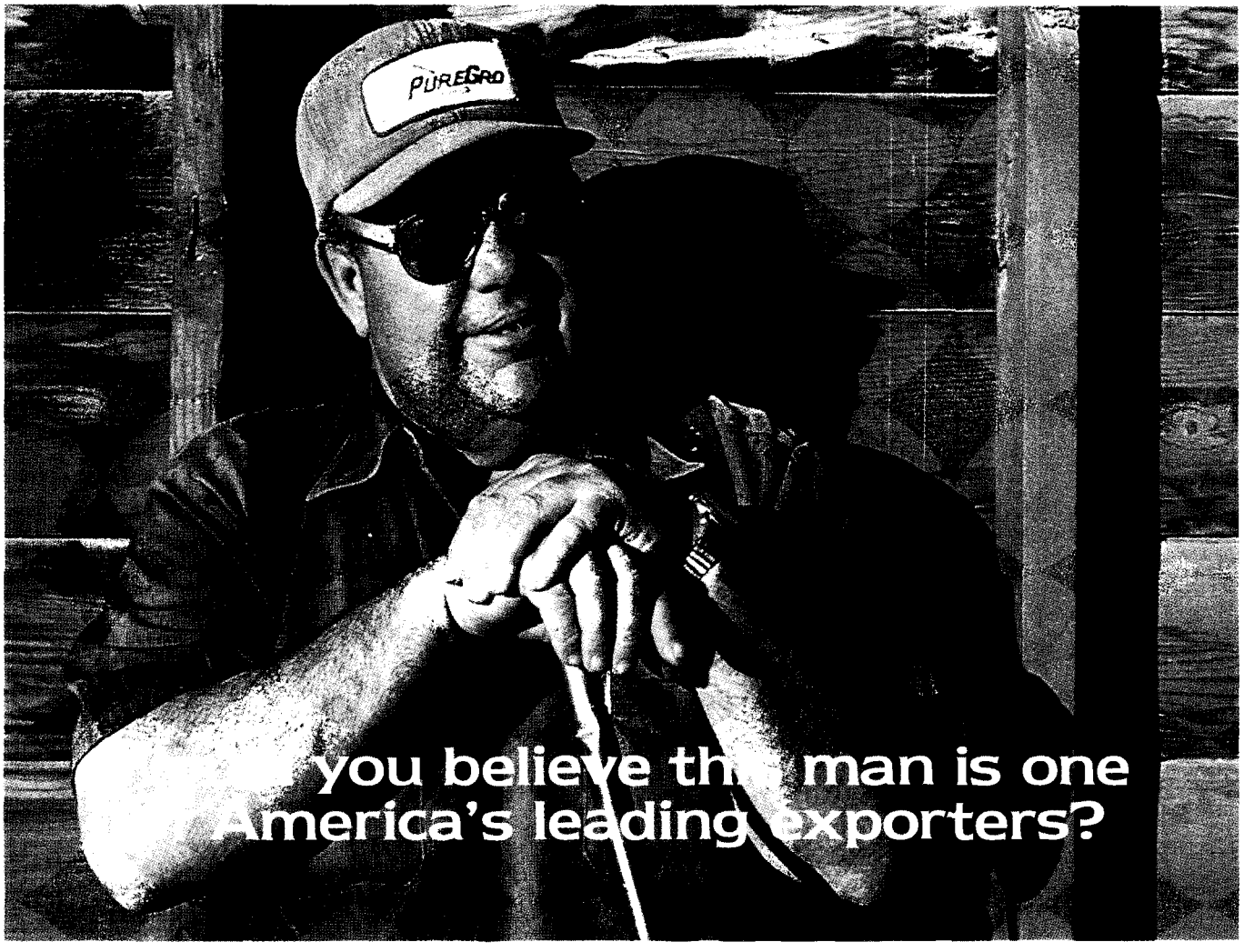
food for thought



He may not look like an international businessman, but he, along with other American farmers, makes a huge contribution to our nation's economy. In fact, agricultural exports have the single largest positive impact on our balance of trade.

This year, the American farmer and U.S. agribusiness will help offset our nation's trade deficit by over $54 billion.

What's our point? That you don't need a power suit to play a powerful role in reducing our nation's trade deficit.

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